

Oct. 15, 1892.

THE SOLICITORS' JOURNAL.

[Vol. 36.] 823

Will be Published on October 31st.

49TH YEAR OF PUBLICATION.

THE SOLICITORS' DIARY,

ALMANAC, LEGAL DIGEST, and
DIRECTORY for 1893.THIS OLD-ESTABLISHED AND IMPORTANT ANNUAL IS NOW UNIVERSALLY
RECOGNIZED AS THE MOST USEFUL LEGAL DIARY PUBLISHED.Prices, 3s. 6d., 5s., 6s., and 8s. 6d., according to Diary Space and Binding;
and in the 5s., 6s., and 8s. 6d. editions there will be the additional
features of a paged Diary and an Index to same.

Now ready, crown 8vo, price 2s. 6d.

THE SMALL HOLDINGS ACT, 1892.

With Notes, Rules, Forms, and a General Introduction.
By H. E. MILLER, LL.B., of the Middle Temple.

Ready shortly.

STANDING ORDERS, SESSION 1893.

The Standing Orders of the Lords and Commons relative to Private
Bills, with Appendix, containing Table of Fees and other information respecting the Proceedings necessary to be taken by the Promoters and Opponents of Bills, with copious indices. Fifty-seventh year of Publication. 12mo, cloth, 5s.WATERLOW & SONS, LIMITED,
LONDON WALL, LONDON.LEGAL AND GENERAL LIFE ASSURANCE
SOCIETY.

ESTABLISHED OVER HALF CENTURY.

10, FLEET STREET, LONDON.

FREE,
SIMPLE,

THE
PERFECTED SYSTEM
OF
LIFE
ASSURANCE.
AND
SECURE.

TOTAL ASSETS, £2,588,000.

DIRECTORS.

Bacon, The Right Hon. Sir James.
Blake, Fredk. John, Esq.
Brooks, William, Esq. (Basingstoke).
Deane, Sir James Parker, Q.C., D.C.L.
Dickinson, James, Esq., Q.C.
Ellis, Edmund Henry, Esq.
Frere, Bartle J. Laurie, Esq.
Garth, The Right Hon. Sir Richard, Q.C.
Harrison, Chas., Esq.
Kekewich, The Hon. Mr. Justice.
Lopes, The Right Hon. the Lord Justice.
Masterman, Henry Chauncy, Esq.
Matthew, The Hon. Mr. Justice.

Meech, A. Grant, Esq. (Devizes).
Mellor, The Right Hon. J. W., Q.C.
Mills, Richard, Esq.
Morrill, Fredk. P. Esq. (Oxford).
Pemberton, Harry Leigh, Esq.
Pennington, Richard, Esq.
Riddell, Sir W. Buchanan, Bart.
Rowcliffe, Edward Lee, Esq.
Salter, William Henry, Esq.
Wilde, Spencer Crofton, Esq.
Williams, C. Reynolds, Esq.
Williams, Romeo, Esq.
Williams, William, Esq.

VOL. XXXVI., No. 51.

The Solicitors' Journal and Reporter.

LONDON, OCTOBER 15, 1892.

Contents.

CURRENT TOPICS.....	823	LAW STUDENTS' JOURNAL.....	831
THE MERGER OF ESTATES.....	825	ON THE EXONERATION OF MORTGAGED ESTATES.....	832
THE WORKING OF THE WINDING-UP MACHINERY.....	826	LEGAL NEWS.....	833
A READING OF THE NEW STATUTES.....	827	COURT PAPERS.....	834
REVIEWS.....	828	WINDING UP NOTICES.....	835
CORRESPONDENCE.....	829	CREDITORS' NOTICES.....	835
LAW SOCIETIES.....	830	BANKRUPTCY NOTICES.....	836

Cases Reported this Week.

(BEFORE THE VACATION JUDGE.)

Buckridge (Lim.), Re	800
Goodman v. Way.....	830
Kell v. Walker	830

CURRENT TOPICS.

THE CAUSE LISTS for the ensuing Michaelmas Sittings, which commence on the 24th inst., will not be published until next week, but it is to be hoped that they will appear in good time before the sittings commence.

OUR ANTICIPATION that the Vacation Judge would hold a sitting in court on the 19th inst. was not without warrant. At least twenty cases are already adjourned to come on on that day, and there will probably be as many more added to the list by Tuesday next. On Wednesday last Mr. Justice Barnes had before him a list of fifty cases, the whole of which, with the exception of those which stood over, were disposed of by a quarter past six in the evening.

IT WOULD BE ADVANTAGEOUS to the conduct of vacation business if counsel who appear in court or before the judge in chambers would state fully all matters connected with a case, and especially as to the jurisdiction under which orders are asked for. Mr. Justice Barnes is pre-eminently a judge who considers it necessary to know what he is doing, and why he is asked to act. Instances have several times arisen in which the learned judge, after consideration in his private room, has discovered that he was not fully informed in court of all the circumstances, and has in consequence directed that orders asked for in court and granted should not be drawn up; some important item not having been stated, or the practice not having been complied with.

IT WILL BE SEEN from the appointments which we announce elsewhere of tutors under the new system of legal education adopted by the Incorporated Law Society, that an energetic effort is to be made to oust the non-official "coaches." There can be no doubt as to the qualifications of the new tutors so far as regards the distinctions obtained by them at the society's examinations. Two of them have acted as "coaches," and one of them is well known in that capacity; hence it may be presumed that the approved "tips" and other stock-in-trade of the crammer will be brought into the business. It will certainly be interesting to watch the progress of the experiment: the only thing which can at present be safely predicted is that, if the tutors can succeed in passing a good proportion of their students, they will be resorted to, and that if they cannot, the scheme will be a failure. The examiners and examination committee may, we are confident, be trusted to keep an even hand between candidates prepared by the tutors and those otherwise prepared, so that we shall soon know the merits of the scheme in practice.

THE LONG VACATION dies hard, but no one can doubt that its abolition, or at any rate its very considerable curtailment, is merely a matter of time. For our own part we think that curtailment rather than abolition should be aimed at. The

resolution passed at the Norwich meeting suggests that the courts and offices should be open continuously throughout the year, with the exception of the short recesses at Easter, Whitsuntide, and Christmas, and an additional recess during the last week in August and the first week in September; but that each officer of the court, from the highest to the lowest, should, by rotation, have a "long vacation" at a convenient period during the year, to be arranged by the heads of departments. This resolution is well conceived in the interests of the officers of the court, but the solicitors who practise there are also entitled to a little consideration, and, with no heads of departments to give them leave of absence, some of them may come off badly. Where there is a partner, holidays may perhaps be arranged even while the courts are sitting; but where there is no partner the holiday must, as a correspondent whose letter we print elsewhere points out, be dispensed with. We are inclined to think that everyone would wish for a definite cessation of court work for a month, partly in August and partly in September, and this would not seriously prejudice the interests of litigants. Everyone could thus make sure of a reasonable holiday, and those who could afford, and who required more, would have to make their arrangements accordingly.

WE REGRET to see the announcement that Mr. Justice MATHEW is to be the chairman of the commission for inquiring into the condition of the evicted Irish tenants. In a sense, of course, there is much to be said for the appointment of a judge, and especially of a judge of eminence, to fill such a position. There are few judges whose political opinions are not well known, and many, of course, before their elevation to the bench, have taken an active part in political life. But with their acceptance of judicial office, politics, for public purposes at least, are laid aside, and it is a thing of course that they should assume an attitude of perfect impartiality with regard to all matters that come before them. But while, in looking for a man whose position and abilities will command respect, and whose neutrality cannot be impugned, it is natural to turn to the judges, there are obvious objections to entangling them in political affairs. It is more important that their neutrality as judges should be above suspicion, than that on account of that neutrality they should be employed outside their proper sphere, and from everything bordering on politics they should be excluded by common consent. The appointment of judges on the PARNELL Commission was a matter of doubtful policy, though the case was hardly similar to the present. That commission, indeed, was rather in the nature of an extraordinary tribunal than of an ordinary commission, and all the proceedings before it took place as though it were a court of justice. Probably no one but a judge could have presided over it with success. But the appointment of Mr. Justice MATHEW on the present commission has no such justification. Doubtless he will be an excellent chairman, and his legal knowledge will be of advantage to the commission. But the main questions which will have to be decided are by no means legal, and, so far as such knowledge is required, it might be supplied with equal advantage by the appointment of a lawyer as one of the commissioners. To choose a judge for this purpose is neither necessary nor politic. It is hardly needful to point out also that the time of the judges is already fully occupied, and that to take them away from their proper work means the further accumulation of arrears in the High Court.

IT IS CURIOUS that while the question of fusion of the two branches of the profession, after spluttering fitfully in England for a short period, has completely gone out, some of our cautious Scottish brethren are busily engaged in efforts to make it a burning question in their country. At the recent meeting of the Incorporated Society of Law Agents in Scotland the address of the president, Mr. J. A. SPENS, was almost wholly devoted to the matter. It is true he admits that the society would not be bound by the conclusions he had arrived at, and he is not sanguine that his opinions will be sufficiently shared by others to encourage a present movement in favour of giving effect to them, but the fact that the topic is chosen for a presidential

address is certainly significant. It must be understood that Mr. SPENS does not maintain that fusion is practicable under the circumstances existing in England; he says that "on the whole the great upheaval in present arrangements which fusion of the professions in England would involve makes me hesitate to say that that country is ripe for the change." But he contends that the state of matters in Scotland is different. There counsel are not resorted to with the same frequency as in England; advocates live in Edinburgh and law agents are not in touch with them to the same extent as are country solicitors in England, who meet on circuit from time to time the leading counsel they consult, while they have in other cases barristers at their doors. The mercantile and maritime law of the two countries is so nearly akin that on important questions resort is often had to some leading specialist in London. More important is the fact that law agents in Scotland have always, to a certain extent, combined the functions of agent and advocate, and that the present tendency is strongly in favour of such combination. In the sheriff courts, which are available for the trial of practically all ordinary cases, the agent is also the advocate in ninety-nine out of one hundred cases. Mr. SPENS affirms that out of four cases competent to be tried either in the Supreme Court or in the sheriff courts, only one is tried in the Supreme Court with the aid of counsel. He therefore contends that in Scotland the fusion of the profession has to a material extent taken place. His practical proposal is that there should be two examinations—one for the ordinary work of law agent, and the other to qualify candidates to take part in the conduct of cases. If the one only were passed, the agent would not be able to take court practice; if both were passed, the candidate would be free to practise either as an advocate or as a law agent. It would be impossible for us to estimate the weight of the reasons alleged relating to the special circumstances of Scotland, and most of the general arguments used by Mr. SPENS were considered in this journal at the time of Sir EDWARD CLARKE'S address. But we desire to call special attention to the fact that, even with all the advantages in favour of fusion stated to exist in Scotland, Mr. SPENS comes to precisely the same conclusion as to the balance of advantage of the change to the two branches to which we came at the time of the discussion on the subject in England. He says: "I do not think that change will in a sense peculiarly benefit law agents as a profession. On the contrary, I think they would be exposed to competition on the part of those who at present fail to succeed at the bar, but who in many cases have qualifications for success which would tell if they were in their own districts, and that this competition would take from law agents more business than a few of their number would gain by assuming the duties of advocates."

FURTHER CONSIDERATION of the Board of Trade Order of the 16th of September, 1892, which we noticed in our last week's issue, has raised a doubt whether it really has the effect it purports to have. The order recites, correctly enough, the provision of rule 146 of the County Court Rules, 1892, that "the provisions of the Companies Acts, 1862 to 1890, and the rules made thereunder, so far as they relate to winding up, shall apply to the winding up of societies registered under 'The Building Societies Act, 1874,' and 'The Industrial and Provident Societies Act, 1876'; and that "the winding up of any such societies shall be conducted in all respects as if such societies were companies registered under any of the said Companies Acts." And the order proceeds to attach Mr. C. J. STEWART as official receiver to the county courts within the London Bankruptcy District, and to attach other persons as official receivers to other county courts not already exercising bankruptcy jurisdiction. But it is evident that the draftsman who prepared this order has not recited his root of title, if any such exists. The official receiver as an officer of the court in winding-up matters was created by the Companies (Winding-up) Act, 1890. The Act of 1890 has been held by Mr. Justice NORTH not to apply to societies registered under the Industrial and Provident Societies Act, 1876 (*Re London and Suburban Bank*, 40 W. R. 326; 1892, 1 Ch. 604), and the reasoning of his judgment applies equally to societies registered under the Building Societies Act, 1874. The

learned judge says he "cannot find any section which indicates that the word 'company' in the Act" of 1890 "was intended to apply to anything which was not governed by the law which was to be amended by the Act," and expresses his opinion that "(with the exception of companies subject to the jurisdiction of the Chancery Courts of Lancaster and Durham, and the Stannaries Court) the Act applies only to companies which, before it was passed, would have been wound up by the Chancery Division of the High Court." Where, then, is the Act of Parliament which gave to the framers of the new County Court Rules the power to import the officer who sprang into liquidation existence by virtue of the Act of 1890 into the county court jurisdiction as to industrial, provident, and building societies? By section 4 of the Building Societies Act, 1874, "the court in this Act means—in England, the county court of the district in which the chief office or place of meeting for the business of the society is situate"; and in Scotland and Ireland it means something else. "Registrar" also has a different meaning from Registrar of Joint-Stock Companies; and "general orders for regulating the proceedings of the court under this section"—as to winding up—"may be from time to time made by the authority for the time being empowered to make general orders for the court." In the Industrial and Provident Societies Act, 1876, "registrar" has a totally different meaning from that under the Act of 1862. By section 17 the court having jurisdiction to make a winding-up order is the county court, and "the provisions of the Companies Act, 1862, shall apply to any such order." The County Court Rules, 1889, ord. 42, extended the general orders of the Chancery Division regulating the mode of proceeding under the Companies Acts, 1862 and 1867, to "proceedings in the county court for winding up" the societies we are dealing with; but that was all they professed to do. Since Mr. Justice NORTH's decision another attempt has been made to obtain a transfer from the county court of the London and Suburban Bank liquidation. The application was this time made to Mr. Justice VAUGHAN WILLIAMS, but on his lordship expressing an opinion that the new county court rule was "*prima facie* only for regulating the practice of the county courts," the application stood over to enable the applicants' counsel to look up the law, and we understand that it will not be further proceeded with. Now it seems very doubtful whether appointing the official receiver an officer of the court, with very extensive powers, is not doing a little more than "regulating the practice." Indeed, if it can be done without an Act of Parliament, the greater part of the Companies (Winding-up) Act, 1890, was unnecessary, for the official receiver was already existing as a bankruptcy officer, and rules might have been made under the Act of 1862, or the Judicature Acts, or some of them, dragging him into the Chancery Division armed to the teeth with his manifold bankruptcy powers.

IN HIS PAPER ON "The Tribunal for Licensing," which we print elsewhere, MR. T. HOLMES GORE urges the general adoption, when the licensing question next comes up, of the plan recommended by the House of Commons Committee of the past session with regard to the licensing of music-halls for London. At present licences for the sale of intoxicating liquors are still under the control of the magistrates; licences to perform stage plays were by section 7 of the Local Government Act, 1888, placed under the control of the county councils, but in many cases the jurisdiction has, under section 28(2), been delegated to the magistrates; and so, in places where Part IV. of the Public Health Acts Amendment Act, 1890, has been adopted, music and dancing licences also are granted by the magistrates. London, however, is specially exempted, the business there being intrusted to the county council, and it is with reference to this that the recommendation of the committee has been made. It is that the licensing authority for London should be a small joint committee of the county council and of quarter sessions, consisting of an equal number of members of each. Proceeding on the same lines, MR. HOLMES GORE urges that the licensing tribunal for all the above purposes, that is, for the sale of intoxicating liquors, for the performance of stage plays, and for music and dancing, should be a joint committee, partly composed of justices and partly of chosen representatives from the elected body. Of course, his proposal is made with reference to

probable legislation under which the liquor traffic will be placed more or less directly under popular control, but at present no one can tell what form this control will take. MR. HOLMES GORE suggests that the joint committee should consist of four county magistrates and four members of the county council for counties—that is to say, for all places outside large boroughs; and for boroughs having a separate commission of the peace, of four borough magistrates and four members of the town council. It is quite possible that such a tribunal would not satisfy advanced reformers who contemplate the wholesale abolition of licences, but, whether licences are to be interfered with suddenly or gradually, any interference has an immediate effect upon property, and it is important that the tribunal to which the matter is intrusted should be capable of acting judicially and with consistency. Such a tribunal as that which MR. HOLMES GORE proposes would give due effect to popular wishes, and would secure the proper conduct of business, including the due hearing of persons interested and their advocates.

A CORRESPONDENT, whose letter we print elsewhere, raises the question of the restoration of the old summary method of procedure on bills of exchange. This was instituted by the Summary Procedure on Bills of Exchange Act, 1855 (18 & 19 Vict. c. 67), and it applied to bills of exchange and promissory notes. The procedure threw upon the defendant, in the first instance, the burden of obtaining leave to appear and to defend the action, and the writ informed him that unless within twelve days he obtained such leave to appear, and unless within that time he did appear, the plaintiff would be at liberty to sign judgment. In the event of the defendant failing to get such leave and to appear under it, all the plaintiff had to do was to file an affidavit of personal service of the writ and a copy of the writ, and he could at once sign final judgment for the sum indorsed on the writ, with interest and costs. In framing the rules under the Judicature Act the intention was to make this procedure applicable generally where the demand was for a liquidated sum and the defendant had no defence, but an important modification was introduced. Instead of requiring the defendant, in the first instance, to obtain leave to appear, the writ calls upon him to appear as in other cases, and if the plaintiff wishes to avail himself of the summary method of procedure, it is for him to apply under order 14 for liberty to enter final judgment. At the same time, of course, an affidavit has to be made verifying the cause of action. This procedure is clearly somewhat more troublesome to the plaintiff than was that under the Act of 1855, but considering the extensive class of actions to which it applies, it would probably be too harsh towards the defendant to restrict in all cases his right of appearance. Possibly there is a case for accelerating the procedure upon bills of exchange, but, considering the success which has attended order 14 when fairly construed, it may be doubted whether it would be expedient to complicate the rules by returning to the former practice.

THE MERGER OF ESTATES.

In the nature of things there is no reason why a person who has vested in himself two independent rights in the same land should not be able to retain both, and to rely upon whichever he may from time to time consider to be most advantageous to him. But the curiously material notions which formerly prevailed, and which, indeed, still prevail, as to the nature of estates prevented any such common-sense view from being entertained. An estate was mysterious something capable of existence so long as it was vested separately in its owner, but ever liable to be swallowed up if it came in contact with another larger estate vested in the same person. Hence the doctrine of merger, which was followed out with ruthless logic at law, and which was only made tolerable by the more reasonable treatment accorded to it in equity. This did not say that merger should not be recognized. Much trouble would have been saved, and probably no harm done, had such a course been adopted. But it made the question of merger or no merger

entirely dependent upon the intention, so far as it could be ascertained or presumed, of the person in whom the estates were vested. "The question," said Sir WILLIAM GRANT, M.R., in *Forbes v. Moffatt* (18 Ves., at p. 390), "is upon the intention, actual or presumed, of the person in whom the interests are united."

From the position thus taken up courts of equity have never departed, and since the Judicature Act, 1873, this doctrine has replaced the strict doctrine of merger for all purposes. Under section 25 (4) there is no merger by operation of law only of any estate, the beneficial interest in which would not be deemed to be merged or extinguished in equity. All that has to be done, therefore, is to ascertain the intention of the party, and this task is in certain cases facilitated by well-established presumptions. Thus with regard to the merger of a charge in the estate—which depends on the same principles as the merger of an estate—if it is paid off by a limited owner, although without any expression of intention, it is clear that he retains the benefit of it against the inheritance: *Adams v. Angell* (5 Ch. D., at p. 645); though where the payment is by the owner in fee or in tail the presumption is the other way. In many cases of course these particular presumptions are not applicable, and, in the absence of any expression of intention by the party, the merger would take effect but for the further general presumption that he shall be deemed to have intended what would be most advantageous for himself. At the same time some indication of intention can usually be collected either from the documents or from the circumstances of the case.

A very curious example of an attempt to make out a merger is afforded by the recent case of *Snow v. Boycott* (40 W. R. 603). A testator devised real estate to EMMA BOYCOTT for life, remainder to her sons successively in tail male, remainder to C. B. WIGHT for life, remainder to his first son in tail male, with remainders over. EMMA BOYCOTT found the estate difficult to manage, and to free her from embarrassment it was arranged that she should convey her life estate to C. B. WIGHT, he allowing her an annuity of £400 a year. This was done, and C. B. WIGHT thus had vested in him an estate *pur autre vie* depending on EMMA BOYCOTT's life charged with the annuity, and also an estate for his own life. Hence it was urged that a merger had taken place, and that EMMA BOYCOTT's estate was gone. There is, of course, the objection that the estates tail in EMMA BOYCOTT's sons intervened between the two life estates, but the judgment was given independently of this point, and apparently there were no sons of EMMA BOYCOTT in existence. Putting this limitation aside, then, there is no doubt that the law regards an estate *pur autre vie* as less than an estate for one's own life (Preston's Conveyancing, vol. 3, p. 225), and at law therefore C. B. WIGHT, immediately he took the conveyance of EMMA BOYCOTT's estate, lost it, and retained his own life estate only. If the legal presumption were in accordance with the fact, this would not matter, but obviously it is purely fictitious. One life is in the abstract as good as another, and there is no probability that the estate *pur autre vie* will come to an end first. In the present instance it did not. C. B. WIGHT died, and the question arose both as to the continuance of the estate *pur autre vie* in his representatives and as to the annuity of £400 charged upon it.

In such a case it may be said that it must be for the advantage of the person in whom the estates are united that the estate *pur autre vie* should be kept alive. A merger can do him no good, whereas if there is no merger he secures whichever estate happens to be the longer. And this might have been enough for the decision. But there was clear indication also of the intention of the parties. The manner in which the annuity was created made it extremely unlikely that they could have had any intention to merge EMMA BOYCOTT's estate in that of C. B. WIGHT. Her estate was conveyed to him and his assigns expressly subject to the use that she should receive the annuity out of it during the remainder of her life, and this was quite inconsistent with the result contended for, according to which she would receive it only during the joint lives of herself and C. B. WIGHT. The case appears, therefore, to have been one in which both the expressed and the presumed intention were opposed to a merger, and KEKEWICH, J., held accordingly that this had not taken place.

THE WORKING OF THE WINDING-UP MACHINERY. II.

IN *Re Laxon & Co.* (No. 2) (40 W. R. 621) an opportunity was afforded to Mr. Justice VAUGHAN WILLIAMS to escape for a time from the Companies (Winding-up) Act and Rules of 1890, and to consider a neat point of law under the Companies Act, 1862—viz., what is the effect of one of the seven signatories to a memorandum of association being an infant? A very similar point cropped up in *Re National Debenture and Assets Corporation* (39 W. R. 707; 1891, 2 Ch. 905), and was decided by Mr. Justice KEKEWICH, who held that, if one of the seven signed twice, once for himself and once for another signatory, the certificate of incorporation did not cure the defect. In the Court of Appeal the case "went off on the facts," and there is enough in the way of heavy *diction* to make the question still unsettled. Mr. Justice VAUGHAN WILLIAMS was happily able to distinguish the cases on this point, and to follow the decision of HALL, V.C., in *Re Nassau Phosphate Co.* (24 W. R. 692, 2 Ch. D. 610), that the infant's contract is only voidable, and that the incorporation is valid.

But in a very few days the first really important case under the Act of 1890 came before the court. In *Ex parte Barnard, Re The Great Kruger Gold Mining Co.* (*ante*, p. 627) an application was made, by a person ordered to be publicly examined under section 8 of the Act of 1890, to discharge the order for his examination. This order had been made by Mr. Justice NORTH, or one of his chief clerks, before the winding-up jurisdiction was taken over by the judge who now exercises it, and it was certainly made on very slight materials. The only apparent connection of Mr. BARNARD, the gentleman ordered to be examined, with the company was as a subscriber for shares on the formation of the company, a position which obviously does not bring a man within the severe provisions of section 8. The official receiver was, however, very anxious that Mr. BARNARD should be publicly examined, and his counsel was successful in inducing the judge to (in effect) sustain the order. The decision was reversed on appeal, notwithstanding the efforts of the Board of Trade to uphold it. It will be remembered that the Appeal Court decision was promptly and accurately reported in the WEEKLY REPORTER (40 W. R. 625), but the Lords Justices explained away a good deal of what they had said, in the subsequent case of *Re Trust and Investment Corporation of South Africa* (40 W. R. 689). The judgments in the Court of Appeal in these two cases, and of Mr. Justice VAUGHAN WILLIAMS in *Ex parte Barnard*, cover almost the whole ground of section 8, which is long and strong, but difficult to understand in some parts without the aid of the judicial interpretation now put on it.

Re Krasnapolsky Restaurant and Winter Garden Co. (40 W. R. 639) is a case which must, for the present, be considered as occupying in the new procedure the position taken up by *Re Chapel House Collieries Co.* (31 W. R. 933, 24 Ch. D. 259) under the old practice. It amounts to this: That the court has the greatest confidence in the new powers vested in itself and the official receiver and the Board of Trade; that no amount of paper in the shape of debentures will be sufficient, in the absence of some evidence, to induce the court to refrain from making a compulsory order on the ground that such an order will not benefit the petitioner; that it is sufficient ground for winding up that there is a probability of there being assets available for the unsecured creditors; and that the *onus* of shewing the improbability of there being such assets lies on those opposing the order. If orders are often made under similar circumstances, we shall probably soon have some cases under the provisions which relieve the official receiver from the obligation of incurring useless expense unless the Board of Trade sees fit to sanction it.

Re Postage Stamp Automatic Co. (*ante*, p. 647) is the first case under section 10 of 1890 (the re-enactment, with modifications, but not improvement in language, of the "misfeasance" section of the Act of 1862) which has come before the winding-up judge. Its principal value lies in the warning it affords that concealed benefits coming from promoters cannot be retained, though the company is *almost* a private company.

Another practice case of importance is *Re J. H. Evans & Co.*

(ante, p. 648), in which the learned judge laid down the following rule as to evidence:—"Those opposing a compulsory order for winding up should, when connected with the company, state on affidavit such matters as are within their knowledge, as to the promotion, formation, or failure of the company, as go to negative the necessity or desirability of inquiring into such matters. And where there is a pending debenture-holders' action, the opponents to the petition should also state the date of issue of the debentures, and the consideration for such debentures." What the result of this practice rule will be it is difficult to foresee, but the hand of probability points to the Central Criminal Court and indictments for perjury.

In *Re New Mashonaland Exploration Co.* (ante, p. 683), a second case under section 10 of the Act of 1890, gave an opportunity for another judicial rap at the time-honoured term "*crassa negligenta*." It also produced a good common-sense judgment exemplifying the rule that nonfeasance is not necessarily misfeasance, and that when directors pass a resolution, they are not bound personally to see that it is carried out in detail, but may delegate to solicitors and others the carrying out of matters which lie peculiarly within their province. The case is also useful from a practice point of view, for the learned judge pointed to one of Mr. PALMER's precedents (framed before the new practice came into operation) and approved of it as the proper form of summons in a misfeasance case.

In *Re Imperial and Foreign Investment and Agency Corporation* (not reported) an attempt was made to raise before Mr. Justice VAUGHAN WILLIAMS the question whether it was possible to evade the provisions of section 161 of the Companies Act, 1862, in favour of dissentient shareholders, on a proposed transfer of the company's business to another company, by exercising the now common form power in memoranda of association to sell the undertaking of the company for shares of another company. His lordship, however, immediately took the point that as there was no existing or proposed voluntary winding up, the dissentient member could not apply under the section, and the question was left undecided in the winding-up court, though it afterwards came before Mr. Justice CHITTY.

Another important point was raised before his lordship in *Re London and Suburban Bank* (not reported). A petition had been presented to a county court for the winding up of the bank under the Industrial and Provident Societies Act, 1876; and the new rule 146 of the County Court Rules, 1892, was cited as an authority justifying a transfer of the winding-up proceedings to the High Court. After being part heard, the application was abandoned, but not before Mr. Justice VAUGHAN WILLIAMS had clearly intimated his *prima facie* opinion that the rule was only made for regulating the *practice* of the county courts in matters under the last-mentioned Act and the Building Societies Act, 1874. This indication of opinion has become important now that the Board of Trade have taken the view that the rule justifies the interposition of the official receiver where industrial and provident societies and building societies are being wound up.

Having dealt with the cases above mentioned and others of less legal moment, his lordship left matters for a time to Lord Justice A. L. SMITH, who dealt with winding-up business in his usual light-handed manner, but had no opportunity of adding any decision of importance to the code of winding-up law. We hope to conclude next week our notice of the winding-up business with some general observations on what has occurred since Mr. Justice VAUGHAN WILLIAMS "took up" his jurisdiction with regard to it.

Mr. Montagu Williams, Q.C., the police magistrate, was taken seriously ill at his Ramsgate residence last week, but is reported to be progressing satisfactorily.

The following are the circuits chosen by the judges for the ensuing autumn assizes—viz., South-Eastern Circuit, Mr. Justice Denman; Western Circuit, Mr. Justice Hawkins; Midland Circuit, Mr. Justice Mathew; Oxford Circuit, Mr. Justice Day; Northern Circuit, Justices Grantham and Collins; North-Eastern Circuit, Justices Charles and Wright; and North and South Wales Circuits, Mr. Justice Lawrence. Prisoners only will be tried at these assizes, except at Manchester and Liverpool on the Northern, and at Leeds on the North-Eastern Circuit, at which three towns civil causes will also be taken. These assizes are expected to begin early in November.

A READING OF THE NEW STATUTES.

Mortmain and Charitable Uses Act Amendment Act, 1892
(55 Vict. c. 11).

It is perhaps inevitable that the law of mortmain, in spite of the recent consolidating statute, should be always having new exceptions grafted upon it, but there can be no doubt as to the utility of the exception introduced by this Act. It frequently happens that, although a local authority is empowered for specified purposes to acquire land, doubts arise whether the acquisition is not subject to the provisions of the Mortmain and Charitable Uses Act, 1888. For certain cases, indeed, statutes have been passed which seem to remove this restriction. By 1 Vict. c. 78, s. 40, the mayor, aldermen, and burgesses of any borough may, by their council, contract for the purchase of, and may have and hold to them and their successors, lands to the extent of five acres for a town hall, police office, gaol, &c.; and by the Municipal Corporations Act, 1860 (23 & 24 Vict. c. 16, s. 8) municipal corporations which have no power to acquire or hold land in mortmain are empowered, with the consent of the Treasury, to purchase any hereditaments for public purposes. But these and similar statutes are incomplete in their operation, and the present statute, by putting on a wide footing exemptions of this nature, at the same time improves and simplifies the law. It operates by extending the provision of section 6 of the Mortmain and Charitable Uses Act, 1888, so far as this relates to assurances by deed. According to that section, Parts I. and II. of the Act are not to apply to an assurance by deed of land of any quantity, for the purposes of a public park, a schoolhouse for an elementary school, or a public museum. But by sub-section (2), where the assurance by deed is made otherwise than in good faith for full and valuable consideration, it must be executed not less than twelve months before the death of the assuror, and must be enrolled in the books of the Charity Commissioners within six months after the execution of the deed. The exemption of section 6 is now extended "to any assurance by deed of land to any local authority for any purpose or purposes for which such authority is empowered by any Act of Parliament to acquire land." And assurances of this nature are also to be exempt from the requirement that the deed, where not made in good faith for full and valuable consideration, must be executed not less than twelve months before the death of the assuror. By section 2 the expression "local authority" is defined as meaning "any county council, council of a municipal borough, sanitary authority, or any body having power to make a rate for public purposes, or by the issue of any precept, certificate, or other document to require payment from some authority or officer of money which may render necessary the making of any such rate. Under these last words, of course, school boards are included. In purchasing land, therefore, for any local authority as thus defined, it will in future only be necessary to ascertain that the purpose for which the land is required is a purpose for which the authority is empowered by Parliament to acquire land; and in the case of a gift of land by deed for any such purpose, which would otherwise fall within the Mortmain and Charitable Uses Act, the only formality is that the deed shall be enrolled within six months after execution.

Conveyancing and Law of Property Act, 1892 (55 & 56 Vict. c. 13).

This Act has already been discussed (ante, p. 640).

The Technical and Industrial Institutions Act, 1892 (55 & 56 Vict. c. 29).

This, as the full title states, is an Act to facilitate the acquisition and holding of land by institutions for promoting technical and industrial instruction and training, but section 2, which defines the institutions to which the Act applies, shews that its scope is considerably wider than these words would indicate. Primarily the institution must be established to give technical instruction within the meaning of the Technical Instruction Act, 1889, and to provide the training, mental or physical, necessary for this purpose. By section 8 of that Act "technical instruction" is defined to mean instruction in the principles of science and art applicable to industries, and in the application of special branches of science and art to specific industries or employments; but it does not include teaching the practice of any trade or industry or employment. Section 2 (iii.) of the present Act, however, goes much further, and provides that, in connection with these purposes, the institution may be established to provide "workshops, tools, scientific apparatus and plant of all kinds, libraries, reading-rooms, halls for lectures, exhibitions, and meetings, gymnasiums and swimming baths, and also general facilities for mental and physical training, recreation, and amusement." Section 3 provides that the governing body may be any body corporate, council, public authority, local authority, committee, or trustees, and section 4

incorporates the Lands Clauses Consolidation Act, 1845, and the Amendment Act of 1860, except as to the taking of lands otherwise than by agreement, and as to entry on the lands by the promoters of the undertaking, and as to the determination of the purchase-money by the valuation of surveyors.

After these preliminaries, the main provision of the Act is contained in section 5, under which the governing body of the institution may by agreement enter on, take, and use any land required by them for the purpose of the institution. It is noteworthy that no limit is placed upon the amount of the land which may thus be acquired. At the end of the Act, in section 10, comes a provision that parts I. and II. of the Mortmain and Charitable Uses Act, 1888, shall not apply to conveyances or assurances by will made under or for the purposes of this Act, and also that land assured by will need not be sold within one year from the death of the testator under the Act of 1891. The necessity for inrolling the conveyance or assurance in the books of the Charity Commissioners is, however, to be observed, though this is not to be done within any specified time, but "as soon as may be." Considering that exemption from part I. of the Act has thus been granted, the provision of sub-section (2) of the section seems to be a little superfluous. According to this "any corporate body may acquire, and shall be entitled to hold and retain, land for the purposes of this Act without any licence in mortmain."

Some interesting provisions with regard to the conveyance of land are contained in sections 6 and 7. By sub-section (1) of section 6 a conveyance of land may be made to the governing body of the institution, or to trustees for the governing body, "either for valuable consideration in money, or in consideration of a rent-charge, or by way of exchange for other land, or, subject as in this Act provided, by way of free gift, and without any consideration." This latter provision is developed in section 7. Sub-section (2) introduces what appears to be a novel idea in conveyancing. A conveyance under the Act by a person having an equitable estate is to operate to pass any bare outstanding legal estate vested in a trustee. Apparently the draftsman meant any outstanding legal estate vested in a bare trustee. This last expression, it is now settled, means a trustee who has no further active duties to perform except to convey the estate at the direction of the beneficial owners: *Christie v. Ovington* (24 W. R. 204, 1 Ch. D. 279), *Re Cunningham and Frayling's Contract* (39 W. R. 469); and there seems to be no reason why in all cases a conveyance operating on the whole beneficial interests should not thus get in the estate of the bare trustee. Section 7, as we have said, develops the idea of enabling gifts of land to be made, and the result is a little startling. To the extent of two acres in any one county, city, or borough, any limited owner may, under certain restrictions, make an absolute gift. If he can obtain the consent of the person entitled to the next estate of freehold, this is enough. Thus, two successive tenants for life can give away the land without the remaindermen having any right of protesting. But otherwise application must be made to the court, and then the court cannot authorize the gift in the face of the opposition of any person entitled in remainder, unless it is of opinion that the opposition is unreasonable, or the interest of the person opposing so remote that it may properly be disregarded. In considering the application, the court is to have regard to "the circumstances of the settled estate, the wants of the neighbourhood, and the interests of the persons entitled in remainder." Where, therefore, the limited owner is obliged to have recourse to the court, there is no fear that the other persons interested will really be prejudiced; but the power of a next freeholder to give a sufficient consent out of court should have been conferred only on the owner of the next estate of inheritance.

The Small Holdings Act, 1892 (55 & 56 Vict. c. 31).
This Act has already been considered (*ante*, pp. 662, 678).

REVIEWS.

THE LAW OF THE CLERGY.

THE CLERGY DISCIPLINE ACT, 1892, AND RULES, AND THE CHURCH DISCIPLINE ACT, 1840, WITH NOTES. By FRANCIS H. L. ERRINGTON, M.A., Barrister-at-Law. Reeves & Turner.

This is a useful and excellently edited work on the new Clergy Discipline Act. In the first chapter Mr. Errington gives an interesting sketch of church discipline down to the Act of 1840. Affecting at first the laity as well as the clergy, it was ultimately restricted to the latter, and as to them was anything but efficient. In every other religious body it is the easiest of matters to bring a minister to book for offences against morality. In the Church of England hitherto the law itself has placed effective barriers in the way of its own enforcement. These are now swept away, but questions may still arise

as to the offences for which a clergyman is to be amenable. By sections 2 and 12 of the new Act these are to include all offences against the 75th and 109th canons which are offences against morality but are not matters of doctrine or ritual. These canons are printed by Mr. Errington, and the former is tolerably wide. It prohibits cards and other such unlawful games; it prohibits spending time idly by day or night; and it orders that "at all times convenient ecclesiastical persons shall hear or read somewhat of the Holy Scriptures or shall occupy themselves with some other honest study or exercise." It remains to be seen whether whist and hunting—though do Parsons still hunt?—and other such idle pastimes are also offences against morality so as bring clergymen within the Act. Mr. Errington fully explains the operation of the Act by reference to the rules recently issued, and the manner in which the book has been printed leaves nothing to be desired.

BOOKS RECEIVED.

Trustees' Guide to Investments. By ARTHUR LEE ELLIS, M.A., B.C.L., Barrister-at-Law. Fourth Edition. Reeves & Turner; Waterlow & Sons (Limited).

CORRESPONDENCE.

THE NORWICH MEETING.

[To the Editor of the *Solicitors' Journal*.]

Sir.—The abolition of the Long Vacation may not be inconvenient to men who have established large practices, but they constitute only a small proportion of the whole profession; and to the very large majority the proposed alteration will be productive of the utmost inconvenience, not to say injustice, for it will absolutely prevent every solicitor who cannot afford to take a partner or keep a managing clerk from having a holiday for more than a few days at any time of the year. In passing the resolution of last Wednesday the meeting seems to have forgotten the unique position of solicitors. Other men can arrange their business beforehand, and settle exactly what shall be done and what shall not be done during their absence. Even the medical practitioner can get someone else to take charge of his cases and can tell him enough of them to enable him to treat them properly. His only difficulty is about new cases. But a solicitor has always to be ready to meet, not only his clients' requirements, but his opponents' tactics, and no instructions he can leave behind can ever foresee and provide for every emergency. I say, therefore, that the abolition of the Long Vacation would be a mistake. But I should not object to a considerable reduction of it (say to a month); for it cannot be denied that in the present day the total suspension of ordinary contentious business for nearly a quarter of the year is utterly indefensible.

May I add that the way in which votes are taken on important questions at these meetings is not calculated to elicit the real opinion of the mass of the profession, nor to give the resolutions the weight they might and ought to have? No one but the council knows beforehand what is going to be discussed, nor what resolutions will be proposed; no one comes prepared for the discussion, and there is a hurried debate (sometimes none at all) and a scratch vote. Why cannot the papers and resolutions be printed and circulated a week before the meeting, and the former then be taken as read? Men would have an opportunity of reading them whilst travelling if they could not otherwise find time, and would come prepared, to some extent at least, for their consideration, and there would be more time for discussion, and less hurry than there is now. From your report it will be seen that a large part of the work was left untouched solely for want of time.

This leads me to another reflection. Is there not far too much time given up to amusement and sight-seeing? These meetings are for business—business of great importance to ourselves—and yet, although there were more than 200 solicitors at Norwich, I don't think there were ever more than fifty in the room after the president's address was read! If the gathering cannot be extended over more than two days, we might at least have as much time as possible for actual work, and that could best be got by taking the papers as read instead of actually reading them.

SIGMA.

October 10.

THE JUDGES' RESOLUTIONS AS TO COSTS.

[To the Editor of the *Solicitors' Journal*.]

Sir.—I have read with interest your remarks upon the subject of the resolutions of the judges in regard to the costs to be allowed to the solicitor of the successful litigant. The main objections suggested by you to the resolutions are, first, the elasticity of the word "reasonable"; and second, the impracticability of obtaining the written consent of a client to the incurring of costs. But up to now no one

seems to have pointed out that the effect of the resolution as it now stands will be to necessitate obtaining the client's written agreement to pay costs before any step in the least degree out of the ordinary routine can be taken in an action.

For instance, a solicitor in the interest of his client has occasion in the progress of an action to make an application, founded perhaps on the advice of counsel, and as to the reasonableness of which there can be no doubt. The application turns, say, upon a doubtful question of law, and is dismissed with costs payable by the applicant in any event. Under the resolution as it now stands, the solicitor of the unsuccessful applicant, even though in the result the action may be won, and though the application was eminently reasonable, would not get his costs of this application unless he had first obtained a written agreement from his client to pay them.

Take another case: An application succeeds before the master; the judge dismisses an appeal, with costs; but the Divisional Court allows an appeal, with costs of appeal, but not of the appeal to the judge, as sometimes, though admittedly very rarely, happens. Again, though the action be won, and the application to the judge was clearly reasonable, the solicitor can get no costs of the appeal.

There are also many cases where the court, in the exercise of its discretion, though an application be reasonable, may refuse it, with costs; so that the result of the resolution becoming law in anything like its present form would render it absolutely impossible to conduct litigation at all, and this surely cannot be the wish of the judges, seeing the strenuous efforts that are being made by them to regain the commercial business which has been lost.

E. S. SPYER.

London, E.C., Oct. 11.

Sir,—Your excellent observations on the 70th and 71st of the judges' resolutions put the subject in its proper light. Let it be thoroughly understood that, if they become law, no solicitor can recover from his own client anything more than party and party costs, unless he has a written authority, given "after full explanation." True it may be that party and party costs are to include all expenses "reasonably incurred," but then the taxing master is to be the judge of the reasonableness, and his opinion cannot be known till after taxation. A curious effect of this will be that the solicitor of the losing side will be in a better position than his successful opponent, for his costs cannot be taxed as between party and party, and are very unlikely to be taxed by his own client.

Just fancy a solicitor running off to his client at the last moment to "explain" to him that Mr. Buzfuz, Q.C., wants a bigger fee, and to get a "written authority" to give it!

I should like to know what proportion of the costs of an action is attributable to counsel. No really expensive step is ever taken without at least your junior's advice. Is not counsel, in nine cases out of ten, responsible for particulars, discovery, and interrogatories? And just look at the enormous fees you nowadays have to pay your leaders! And the absurd rule that, on appeal, all your counsel must have at least the fee they had at *Nisi Prius*! Why, they have to master the whole case for the trial, and, having mastered it, may have to argue, perhaps, only one small point in the Appeal Court, and yet "étiquette" entitles them to the same fees over again! Why have the judges not looked to these things instead of throwing all the blame on solicitors? Simply because, having been barristers themselves, it is natural they should look at the matter from a barrister's point of view. From their training they cannot understand the practical working of an action. Why, then, is it left to them alone to prescribe rules? I venture to say that a committee of masters and chief clerks and solicitors would do the work better.

If barristers were, as they ought to be, made responsible for negligence, one great cause of expense in litigation would soon be removed, for the business would necessarily be more distributed, and postponements for the convenience of counsel less frequent. I wonder the bar do not see that this would be to the interest of the general body, though it might pull down the enormous incomes of some score or more of "big guns."

S. S. C.

Oct. 7.

REFUSAL TO CERTIFY APPOINTMENT OF TRUSTEE IN BANKRUPTCY.

[*To the Editor of the Solicitors' Journal.*]

Sir,—In the month of July last I was consulted by a firm of woollen warehousemen carrying on business in the City of London, with reference to their affairs, then in a somewhat embarrassed condition, and, acting under my advice, the books of the firm were submitted to the investigation of a well-known firm of accountants, who were in the habit of acting in a similar capacity for large wholesale houses in the dry goods trade. The result of such investigation was submitted to a meeting of creditors, who passed a resolution that the debtors should execute a deed of assignment to one of the members

of the firm of accountants, as trustee, who should wind up the estate, subject to the supervision of a committee of inspection.

Certain of the creditors refusing to assent to the deed, the same was not executed by the debtors, nor did the trustee enter into possession of the debtor's estate, but the firm of accountants, acting as agents of the debtors and with a view to the protection of their estate against hostile claims, and to facilitate the carrying on of their business, received and paid moneys on their account.

In the month of August last the debtors were adjudicated bankrupts on their own petition, and at the first meeting of the creditors a member of the above firm of accountants was appointed trustee under the bankruptcy. The official receiver having brought the fact of such appointment before the Board of Trade, the board objected to the appointment, on the ground that the trustee so appointed had had dealings with the estate which made it difficult for him to act with impartiality in the interests of the creditors generally, and the objection was maintained notwithstanding the trustee had rendered full accounts of all moneys received and disbursed by his firm on the bankrupts' account to the official receiver, and paid over the balance in the hands of his firm belonging to the bankruptcy to such official receiver, and actually offered to pay over to him the total amount received by his firm, leaving the question of the legality of the payments (which consisted only of wages to the bankrupts' employees and a few other items in connection with the carrying on of the business) to be adjudicated on by the official receiver and committee of inspection, there being no payments in such account in respect of costs in any shape or form.

I venture to think that the Board of Trade in this case exercised the jurisdiction conferred upon them by section 21, sub-section 2, of the Bankruptcy Act, 1883, with unnecessary severity; the facts of the case being such, in my opinion, as not to justify the board in refusing to certify the appointment, and that the course they adopted is one calculated to produce much inconvenience to the mercantile community, with whom it has heretofore been the almost invariable practice to appoint as trustee under the bankruptcy a member of the firm of accountants by whom the bankrupts' affairs had been previously investigated at the instance of the trade creditors.

14, Ironmonger-lane, London, E.C.,

WILLIAM STURT.

October 12.

REGISTRATION OF TRADE-MARKS IN FRANCE.

[*To the Editor of the Solicitors' Journal.*]

Sir,—In the article on Registration of Trade-Marks in France, contained in your issue of the 1st inst., there occurs a slight inaccuracy, which, if allowed to pass uncorrected, might occasion a serious loss of time to persons who follow the instructions of the article in registering their trade-marks in France. The author of the article has evidently overlooked the fact that a law was passed on the 3rd of May, 1890, modifying Article 2 of the law of the 23rd of June, 1857, and that a decree was published on the 27th of February, 1891, detailing the manner in which registration is to be effected.

The principal alterations effected by these enactments are, shortly: first, three copies of the mark have to be supplied, instead of two as formerly; second, a *cliché typographique*—i.e., a metal block—of the mark must be deposited with the *grapier* (registrar) at the same time as the three copies above mentioned are handed in. This block, which must be similar to the blocks usually employed in typographical printing, must not exceed twelve centimetres in any one dimension.

There are also certain provisions with reference to the size of the paper to be employed, to the reduction in size of the mark for registration purposes, to its division in various parts, or to its increase, if necessary. Various other modifications of secondary importance will be discovered upon consulting the above-mentioned decree, to mention which in detail is hardly necessary here.

One word as to the power of attorney required. This should be on stamped paper and should state very shortly (in French) that its object is to empower the person named therein to accomplish the various formalities required by the laws and decrees bearing on the subject. It should be signed in the presence of a solicitor, who should then add a certificate of the genuineness of the signature; the solicitor will then require to have his own signature legalized at the French consulate, which he can have done upon payment of a fee of about ten shillings.

MONTAGU SOLOMON.
58, Finsbury-pavement, London, E.C., Oct. 7.

[We are greatly obliged to our correspondent for his valuable correction.—ED. S. J.]

ANNUAL REPORT UNDER THE BANKRUPTCY ACT, 1883.

[*To the Editor of the Solicitors' Journal.*]

Sir,—My attention has been called to an editorial paragraph in your issue of the 1st inst. to the following effect—viz.:

"It is noticeable that a saving in the amount of expenditure should take place contemporaneously with instructions from the Board of Trade that official investigations should in future be confined to general questions, and expenses of official receivers' offices cut down."

This paragraph must have been written under a misapprehension, as no such instructions have been issued by the Board of Trade. I shall be obliged by your inserting this correction.

Board of Trade, Oct. 11.

JOHN SMITH,
Inspector-General in Bankruptcy.

[The above letter reaches us too late for us to receive a reply this week from our contributor as to the information on which the statement referred to was based, but if Mr. Smith's statement means that neither general instructions nor specific instructions relating to a particular case to the effect mentioned have been issued by the Board of Trade, it is, of course, conclusive.—ED. S. J.]

THE OLD BILLS OF EXCHANGE PRACTICE.

[To the Editor of the *Solicitors' Journal*.]

Sir,—It is satisfactory to see our newly-elected members of the council throw themselves into active work. Mr. Munton and Mr. Rawle have both demonstrated that they are practical men. The former has of course been known to us as a worker for many years, and it is to be hoped that his vigorous denunciation of the abolition of the bills of exchange summary process, evidently approved at the meeting, will lead to its restoration, and that you will lend your support, for nineteen applications out of every twenty in bills of exchange cases under order 14, judgment would be got in just about half the number of days now occupied were the initiative thrown upon the debtor to obtain leave to defend. A CITY FIRM.

London, E.C., October 12.

CASES OF THE WEEK.

Before the Vacation Judge.

KELL v. WALKER—12th October.

MARRIED WOMAN—INCOME—RESTRAINT ON ANTICIPATION—DIVIDENDS ACCRUED DUE—PAYMENT INTO COURT.

This was a motion that the defendants, the trustees of a settlement dated the 12th of June, 1877, might be directed to pay forthwith the plaintiff, a married lady (after deduction therefrom of any reasonable and proper sum for costs, charges, and expenses), all the dividends admitted by them to be in their hands, and to have been received by them in trust for the plaintiff absolutely, under the provisions of the said settlement, or in the alternative for payment into court of such dividends. The income in question was settled upon the plaintiff for her separate use and so that she should not have power to dispose thereof or to deprive herself of the benefit of the same by sale, mortgage, or otherwise in the way of anticipation. The dividends were stated to have been paid until last year, when the plaintiff went abroad, and the present application was confined to the sum which had already accrued due (some £617). The plaintiff's case was that the trustees discontinued payment of the dividends to the plaintiff's bankers without any right to do so. Correspondence was read on behalf of the plaintiff to shew that the trustees had been acting vexatiously and had needlessly required strict evidence of the plaintiff's existence and formal evidence of her signature to each receipt. The defendants (the trustees) admitted that they had a sum representing dividends in their hands which belonged to the plaintiff absolutely subject to certain costs being paid thereout. The plaintiff was stated to be in urgent need of the money, and therefore it was necessary to press for payment. A great deal of evidence was filed on both sides. For the trustees it was urged that the plaintiff was not a free agent, and was acting under the influence of other persons and under compulsion.

BARNES, J., ordered the amount of dividends accrued due to be paid into court.—COUNSEL, Hopkinson, Q.C., and Ashton Cross; Marten, Q.C., and Ryland. SOLICITORS, Seaton Taylor; Mander & Watson.

[Reported by V. de S. FOWKE, Barrister-at-Law.]

Re BUCKRIDGE (LIM.)—12th October.

PRACTICE—COMPANY—WINDING UP—FLAT ON PETITION—EVIDENCE.

This was a petition by a judgment creditor to wind up the above-named company. The affidavit of service did not state that the amended flat altering the date of the hearing from October 25th to October 12th was indorsed on the petition. On the petition coming on, Barnes, J., directed a further affidavit to be made to that effect, and the petition to be mentioned later in the day. The affidavit was accordingly made and the petition mentioned again.

BARNES, J., then made the usual compulsory winding-up order, with the usual order as to costs.—COUNSEL, Bateman Napier; George White. SOLICITORS, W. A. Bilney; G. Aplin Nichols.

[Reported by V. de S. FOWKE, Barrister-at-Law.]

GOODMAN v. WAY—12th October.

INJUNCTION—TRADE NAME—TENDENCY TO DECEIVE.

The plaintiffs carried on business as surgeon dentists, and the defendant

was formerly in their employ. The plaintiffs complained that the defendant, who had set up business for himself, used windows with a vermilion ground with white letters thereon, and that the same were an imitation of the style, lettering, and colouring which were formerly upon the windows of their surgeries where they practised till 1889, and they still had a vermilion ground with white letters on their present firm premises. The defendant's premises were close to the plaintiffs', and contained the words, "Way, late manager to L. H. Goodman." The plaintiffs said that the defendant never was their manager, and that in combination with the adoption of the colouring they were calculated to deceive. The defendant adduced evidence to shew that he had acted as manager, and otherwise traversed the allegations of the plaintiffs. The plaintiffs now moved to restrain the defendant from carrying on his business in a manner calculated to induce the public to believe that the business so carried on was the same as that carried on by the plaintiffs. The plaintiffs rested their case mainly upon the principle laid down in *Hockham v. Pottage* (21 W. R. 47, L. R. 8 Ch. 91), that the defendant had done what was calculated to mislead the public, and had not taken the care which he ought to have taken so as to prevent anyone from being deceived. The defendant asked the court to apply the principle laid down in *Turton v. Turton* (38 W. R. 23, 42 Ch. D. 128), where Lord Esher, M.R., said: "If there had been anything more than the mere use of the name by the defendants in the way I have stated, that there might have been a necessity for an injunction, I think, cannot be denied. Here are two firms—Thomas Turton & Sons and John Turton & Sons; well, careless people may not notice the difference of Christian name, and may look more to the name 'Turton & Sons,' which are the same in both. That might be so. Therefore, for this purpose, I assume that the names are sufficiently alike to cause blunders in trade; but they are blunders of the people who make the blunders. Has the defendant John Turton done anything to so far cause that blunder, even though he did not intend it, which entitles the court to stop him from doing what he is doing? He is simply stating that he is carrying on business with his two sons as partners. I say that is the accurate and exact truth of what he is doing." The defendant had actually acted as manager, and had not used the name of "Goodman" so as to indicate that the business he was carrying on was that of Goodman, not of Way. In reply it was said that the case of *Turton v. Turton* was distinguishable, on the ground that there the plaintiff and defendant had the same name.

BARNES, J., refused the motion, and in giving judgment said that the defendant had acted as manager, which was not contested except as to locality. In the next place it was said that the defendant had put up his advertisements, &c., in a way calculated to mislead the public. That was not the case upon the evidence, and especially upon looking at the photographs which had been put in. The defendant was not carrying on his business in a manner to mislead the public into thinking that he was carrying on the plaintiff's business.—COUNSEL, Millar, Q.C., and C. J. Morris; Marten, Q.C., and Boone. SOLICITORS, Morris & Co.; Barnard & Taylor.

[Reported by V. de S. FOWKE, Barrister-at-Law.]

LAW SOCIETIES.

BRISTOL INCORPORATED LAW SOCIETY.

The following are extracts from the report of the council for 1892:—

Public Trustee Bill.—In the early part of the last session of Parliament, the provincial societies were informed that the Government intended to introduce a Public Trustee Bill, and that instructions had been given for the preparation of a Bill which would embody the recommendations of the chief society. The council of this society thereupon passed a resolution that they were opposed to the principle of the appointment of a public trustee, and were of opinion that it was not desirable for the Incorporated Law Society of the United Kingdom to promote or assist in passing into law any measure having that object in view. Special meetings of the Associated Provincial Law Societies with the council of the chief society were held in London, at which this society was represented, and the views of this society as expressed in the foregoing resolution were eventually adopted, and the preparation of the suggested Bill was not further proceeded with.

Contract and auction fees.—The prohibition of the use of the society's conditions of sales, in cases where vendor's solicitor's contract or auction fees are charged to the purchaser, has been after much consideration withdrawn, with the result that there has been a very large increase in the sale and use of the conditions. The council wish to point out that where such fees are charged, credit should be given for them to the vendor.

Legal education.—In response to a request from the chief society for suggestions for the advancement of legal education in the provinces, a committee consisting of Mr. Sturge, Mr. Cross, and Mr. Daniel was appointed, who drew up a report recommending examinations of articled clerks, at the end of the first, second, and third years of their articles, such examinations to be held in local centres and to be on particular books. The report also raised the question whether the Government should not apply part of the revenue derived from stamp duties on articles and admissions towards the encouragement of legal education. The report having been approved by the council of this society, was forwarded to the Incorporated Law Society of the United Kingdom.

Officialism.—The tendency of recent legislation towards the extension of "Officialism" has engaged the attention of the law societies during the last year, and it is proposed that steps should be taken to induce members of Parliament to abstain from pledging themselves to support, without further information, such measures as "The Public Trustee Bill" and "The Land Transfer Bill."

LAW STUDENTS' JOURNAL.

BOLTON LAW STUDENTS' SOCIETY.

A meeting of this society was held on the 27th of September, 1892, to consider a letter received from the secretary of the Yorkshire Law Students' Union inviting this society to send delegates to a meeting to be held in the autumn at Derby, to endeavour to obtain reform in the expenditure by the Incorporated Law Society of the money subscribed by law students under section 8 of the Solicitors Act, 1877, with a view of providing legal education for provincial law students. The letter was fully discussed, and the members were unanimously of the opinion that reform was urgently needed, and they decided to give their hearty support to the union. Two delegates were appointed to represent this society to the meeting, and the following suggestions by which legal education might be provided were made :

1. By dividing the country into circuits, each circuit to consist of say from six to twelve large towns, and in each circuit provide a lecturer who would make it his business to go about once a fortnight to each town of sufficient size in his circuit, and give lectures in the evenings to the students in that town.

2. Appoint a local solicitor (to be paid according to the number of lectures given) in each town who would give lectures on one night a week (the solicitor to be appointed by the students).

3. Establish men in different parts of the country who would help students to prepare for examinations by a system of correspondence, and who could also be consulted by students as to what books to read.

LAW STUDENTS' DEBATING SOCIETY.—A meeting of this society was held on Tuesday, the 11th of October, 1892, Mr. Percy Marshall in the chair. The subject—"That this society regrets the return of the Gladstonian party to power"—was opened by Mr. Kinnipple, and the following gentlemen spoke in the affirmative—Messrs. Wheeler, Archer White, and Nimmo; and in the negative—Messrs. Smith, Foden Pattinson, Stanley, and Herbert Smith. Mr. Kinnipple replied.

THE TRIBUNAL FOR LICENSING.

The following is Mr. T. HOLMES GORE's paper which was taken as read at the recent Norwich meeting :—

"A licensing tribunal—what has that to do with the Incorporated Law Society's Annual Provincial Meeting?" Such a question may occur on reading the title of this paper, and an apology may be expected for introducing the subject. It is not necessarily a *dry* subject, as those of my professional brethren who practice at brewster sessions can testify; and at the present time it should attract attention, as it will in all probability materially affect the position of clerks to county councils, town clerks, and justices' clerks, whose interests may be conflicting. At Norwich, at this Conference, we are on neutral ground, and in the town clerk we have an old justices' clerk who thoroughly knows the duties. Moreover, the subject affects all professional men, mostly solicitors, who are engaged in advocacy at licensing meetings throughout England. With this preface I think it may be fairly introduced, after eliminating all reference to party politics. On August 17, 1892, the following announcement appeared in the inspired columns of the *Times* :—“A Local Option Bill will emanate from the Local Government Board; a circumstance which had much weight with Mr. Gladstone in deciding to ask Mr. Fowler to take charge of that department.” During the recent re-elections of Cabinet Ministers, many have spoken of the intention of the Government to bring in a Bill next session dealing with the licensing question, among whom were the Chancellor of the Exchequer and the Home Secretary; and the Attorney-General has also referred to the impending measure, the details of which have not been disclosed. By some supporters of the Ministry out of office (Sir Wilfrid Lawson, *et. grs.*) the Bill now in process of incubation is termed a “Local Option Bill”; but “the popular veto” which he advocates is not likely to have gained a place in the pigeon-holes of the permanent officers of the Local Government Board. Still a Licensing Bill, shaped in favour of temperance, is tolerably certain to appear among the Government measures during the next session of Parliament. It may be that we are within measurable distance of seeing the “parish council” endowed as the tribunal of first instance, and the “county council” as the final resort, for determining who and what house shall have a licence, and even whether any licence at all shall be granted within a given area. In December, 1886, Mr. Ritchie, as President of the Local Government Board, said: “There is a well-founded belief that it will be necessary for the Government to consider the question as to who shall in the future have the licensing laws to administer; and that that body will be a locally constituted body, instead of the justices who now administer the licensing laws.” I think I ought to quote some further remarks of Mr. Ritchie made on February 3, 1888. The right honourable gentleman said: “Upon the question whether the licensing should continue with the justices or be transferred to another body, I can only say that I agree with what has been said as to the impartiality, the ability, and the disinterestedness with which the matter has been dealt with by the existing authorities. And, if the jurisdiction is to be transferred from the justices to another body, it is certainly not because of the manner in which the powers vested in the justices have been administered. Looking to the fact that the administrative” (may I ask that special notice may be given to that word “administrative”?) “business of a county is to be in future transferred to a body representing more or less the ratepayers of the county, it is, I think, impossible that so important an administrative power should continue in the body which now exercises it.” Accordingly, no one

was surprised that in the Local Government Act, 1888—or, rather, in the Bill as originally introduced by Mr. Ritchie in the House of Commons—provision was made for transferring the administration of the law as to licences to county councils. Parenthetically I may remark, there is a wide distinction between the administration of the law and the administrative duties of magistrates. One is “judicial” and the other “ministerial” only. Licences are of many kinds, from the licence to a race-course, allowing horse races, to the licence to a pedlar, allowing him to hawk bootlaces. I will enumerate a few others:—A licence to sell intoxicating liquor; a licence to manufacture gunpowder; a licence to perform stage plays; a licence for music and dancing; a licence for a dog or a gun, and a licence to store petroleum or to sell fireworks. In granting such licences, it is difficult to draw a hard and fast line between “judicial” and merely “ministerial” functions. The authorities who grant licences vary considerably, and include quarter sessions, special sessions, and petty sessions; Secretaries of State; county councils, town councils, and local boards; superintendents of police, postmasters, and collectors of inland revenue. The licences to which in this paper I would particularly refer are those relating to—First, inns and places for the sale of intoxicating liquor; second, theatres and places for the performance of stage plays; and, third, music-halls and places for public music and dancing; to which there can be no doubt that the functions of the licensing authority are judicial. First, with reference to intoxicating liquor. It will be remembered that the Local Government Act, 1888, originally contained a number of provisions relating to public-houses, among which were several showing the regard of the then Government for vested interests. In consequence of threatened opposition, these provisions, in the storm that arose, were, Jonah-like, thrown overboard to save the ship, and, Jonah-like, without much injury to the parties principally affected by the *jettison*. Consequently the authority to sell intoxicating liquor for consumption on the premises rests, as before, entirely with magistrates; and, if their decisions are sound in law, their decision in the matter is absolute. There can be no doubt whatever that their functions are judicial; they sit in open court, oaths are administered when evidence is taken, and the solicitors for all parties interested are heard. Changes in licensing law, though frequent, have hitherto been gradual, but the number of statutes bearing on the sale of intoxicating liquor is so great, and they so frequently involve contentious litigation, that it is not every practitioner who will undertake advocacy at licensing sessions. Consequently the business is generally conducted by a few experts in each locality, who are usually well rewarded by their clients. Whether this is all to be destroyed by a new “Local Government Bill” or a “Local Option Bill” will show; but it may be well for the legal profession to consider any Bill the Government may introduce, quite as much as for publicans and temperance advocates. Second. Licences to perform stage plays in public were, until the Local Government Act, 1888, came into operation, granted by justices (except where the Lord Chamberlain had sole jurisdiction, viz.: the cities of London and Westminster and a few parishes adjacent), whose functions in that respect were transferred to county councils. The Act contains a provision by which those duties may be relegated to the justices, and in the city with which I am connected the magistrates preserve their jurisdiction over theatres. This also is the case at Liverpool and other large cities, and, as far as I can ascertain, it is so in the larger number of counties and county boroughs. Third.—Now as to music and dancing. In 1890 “The Public Health Acts Amendment Act” was passed, and since then, in all places where section 51 of the Act has been adopted, “the licensing justices” are constituted by the Legislature as the authority to grant music and dancing licences, the only exception to this now universal rule being the County of London. Two reported cases, *R. v. London County Council* (1892), 1 Q.B. 190, and the *Royal Aquarium v. Partington* (1892), 1 Q.B. 431, demonstrate the small regard shown by the judges of the Queen's Bench Division and the Lords Justices of Appeal to the administration of licensing law by the London County Council. In the Queen's Bench Division it was considered that the functions of the council in reference to places of entertainment were “judicial,” and required to be judicially exercised. In the Court of Appeal, probably Lord Justice Fry considered that the County Council possessed some of the attributes of a “tribunal,” but would object to the Council being termed a “court of law.” The subject of licensing theatres and music-halls has, during the past session, undergone searching investigation by a House of Commons committee conspicuous for its ability and business capacity. Their report, recently published, contains some useful remarks which should be quoted:—

“England: the Provinces.—Dealing with the operation of Acts of Parliament relating to theatres and places of public entertainment, outside the limits of the county of London, we find that the licensing powers vested in the justices were, under the Local Government Act, 1888, transferred to the county councils. We have to report, however, that the county councils have, in a very great majority of instances, taken advantage of the clause in that Act which enables them to delegate back to the justices the licensing of theatres. And as to music and dancing licences, we have reason to believe that the operation of the existing law in England (outside the County of London) has been found satisfactory. . . . Having regard to all these considerations, we suggest that the licensing authority for the music-halls of London should be a small joint committee of the County Council and of Quarter Sessions, consisting of an equal number of members of each. Such a standing joint committee need find no difficulty in electing a chairman from among themselves, under whose guidance they might be clothed with authority to administer oaths, and with judicial immunity suitably conduct the business; assisted, of course, by the usual official information and hearing all proper evidence for or against applicants for licences. We recommend that all licences should expire on the annual licensing day. We also recommend that, for enforcing the Acts, fuller power should be given to the police. And we advise that

no change should be made in the authorities for granting liquor licences for places of entertainment; but that it is desirable to repeal the section of the Act of 5 & 6 Will. IV., c. 39, which empowers the Excise to grant beer and spirit licences to theatres."

This report ought not to be lightly regarded, and its recommendations are worthy of extension to the licensing of all places of entertainment and of public resort. I desire, therefore, to suggest that extension. At present we are informed, and probably the Local Government Board as now constituted has not considered, what body should arbitrate on questions vital to many owners of property. The United Kingdom Alliance and Sir Wilfrid Lawson have given no definite description of "the popular vote" and "local option." Possibly it is to be ascertained by polling a parish or a borough or a petty sessional division, possibly through the votes of the county council, the parish council, or some other elected body. Possibly that body, by vote of the majority or by poll of the ratepayers in a given area, may in one day do away with all the licences in some large or small locality. But who is to protect the interests of the owners of the property affected? The family solicitor and the professional adviser of the owner of licensed property (who may be a trustee for infants, or the shareholders in a big hotel company) would find it difficult to obtain a *locus standi*, and to address a parish vestry or a county council on behalf of their clients. And there is another point to be noticed. Where the licensing of theatres remains with the county council, that body has the power of allowing the consumption of intoxicating liquor, as the proprietors of a theatre have only to pay excise duty and they may sell liquor without the sanction of the licensing justices. If the Government decide to follow the tendency of throwing more power in police matters into the hands of an elected body, the tribunal, I would suggest—to decide what houses should be licensed for the sale of intoxicating liquor for consumption on or off the premises, for the performance of stage plays, and for music and dancing—is a joint committee, similar to that recommended by the House of Commons Committee, partly composed of justices and partly of chosen representatives from the elected body. This joint committee should consist of four county magistrates and four members of the county council for counties—that is to say, for all places outside large boroughs; and for boroughs having a separate commission of the peace, of four borough magistrates and four members of the town council. The committee should have unlimited discretion in granting or refusing licences for one year, and it should have full responsibility to the criticism of public opinion; it should sit in open court; be subject to annual appointment; it should elect a chairman for the year, who should have a casting vote, and three should form a quorum. In counties the committee should travel to the principal places in each petty sessional division, and hold courts in each when, and as often as, public convenience required. In county boroughs they should sit at least eight times in a year, and oftener if required. All notices of new applications and transfers, and all objections to renewals, should be given pursuant to the Licensing Acts, 1872 and 1874. There should be no appeal from the decisions of the committee on any question of fact, nor as to the exercise of their discretion, but on all questions of law a case might be stated for a divisional court. And the committee should possess all necessary powers, at present vested in a court of summary jurisdiction, under "The Summary Jurisdiction Acts." If the fees for licences were chargeable on the present scale, the income would probably produce a fund sufficient to cover the travelling and other expenses of the committee, and to provide a just remuneration for its officers.

ON THE EXONERATION OF MORTGAGED ESTATES.

By LAURISTON W. LEWIS, Walsall, President of the Birmingham Law Society.

THE object of the paper which I have undertaken to read is strictly practical—my aim being to call attention to the mischievous effects of what are commonly known as Locke King's Acts, in order first to ascertain if your experience of their operation agrees with my own, and if so, then to ask you to join with me in pressing the subject upon the attention of the council, with a view to the promotion of improved legislation respecting it. I have been mainly led to take up the matter by the recent occurrence in my own practice of a typical instance of the way in which these Acts operate to defeat a testator's intentions; and I am encouraged to think that the time is ripe for a change by the fact that, in almost the latest reported case on the question, a learned judge had the boldness to construe a will in accordance with the dictates of justice and common sense, though, as I venture to think, in defiance of the express language of these Acts as interpreted by the Court of Appeal. To make my objections intelligible, it will be convenient briefly to glance at the law as it stood before the passing of Locke King's original Act in 1854, and see how it was affected by that and the subsequent statutes. It is not necessary to consider in detail the order in which the various classes of assets were administered in different cases; it will be sufficient to keep in mind the general rule that the personal estate of an intestate, and where no contrary intention was indicated of a testator also constituted the primary fund for payment of all his debts, whether secured or unsecured. Accordingly the heir or devisee of real estate which at the death formed a security for a debt of the deceased, had the right to insist on the personality being applied in discharge of such debt, in exoneration of the real estate descended or devised; though the case was otherwise where the mortgage was not of the deceased's own creation, but was existing when he acquired the property. Locke King's Act altered this by enacting that on any death happening after 31st December, 1854, the heir or devisee should not be entitled to exoneration unless the de-

ceased should have signified a contrary intention, which contrary intention, however, strange to say, is not necessarily to appear from the will, but may be signified by any deed or other document, though I am not aware that any case of such extrinsic evidence has yet occurred in practice. It may be remarked in passing that this Act had at least the merit, which the later Acts had not, of not affecting wills made previously to its coming into operation. Now with this original Act I have no great quarrel—indeed, had it been confined to cases of intestacy I should have welcomed it as a step towards the removal of one of the hardships of our law of inheritance. But I am quite unable to see what occasion there was, in any other case, to alter a long-established and well-understood convention, which in the great majority of instances effectuated the intentions of the testator, and where this was not the case could be readily contra-indicated by the will. If a testator bequeaths his gold watch to his godson he intends the lad to have it, even though it should happen to be at the pawnbroker's when death occurs—and the law effectuates such intention—and in like manner, where he devises a house or farm, he in ninety-nine cases out of a hundred means that the devisee shall have the property itself, and not a mere right to redeem it by paying some debt which may happen at the death to be a charge upon it. In the very rare case of his intending the devisee to take *cum onere*, what more easy or more natural than to say so? Such considerations, however, might well not occur to a draftsman the measure of whose practical acquaintance with his subject may be taken from the language of the concluding proviso, which shews that he thought it possible that a man might claim as heir or devisee by virtue of some deed or instrument *inter vivos*! Still, faulty in principle and crude in execution as the Act was, it did little practical harm, because its operation was confined to cases where no contrary intention was indicated, and the all-but-universal practice of making express provision for the payment of all debts usually supplied conclusive evidence of such contrary intention. When, however, after thirteen years' experience, Mr Locke King found that the Act was comparatively harmless, he contrived to procure the passing of his second Act, which provided in effect that after the 31st of December, 1867, a general direction to pay all debts out of personal estate should not be deemed to include debts secured by mortgage of real estate, unless such inclusion was required by further words expressly or by necessary implication referring to such mortgage debts. I notice in passing that although this Act speaks only of a direction to pay debts out of personal estate, it was early decided that the same rule must necessarily govern all provisions for payment of debts, whether out of personal, real, or mixed estates—in other words, that whenever a testator specifies any source out of which all his debts are to be paid, he is to be deemed to mean all except debts secured upon real estate; and if he wants to include these he must expressly mention them. So the law stood for another ten years, when the second amending Act was passed, which after the 31st of December, 1877, extended the operation of the former Acts to leaseholds, and expressly placed equitable charges and liens in the same category as regular mortgages. This last Act calls for no special reprehension, as it is but the natural complement of the former Acts; it is against the principle of the Act of 1867 that I emphatically protest. The modern legislative practice of attaching fictitious meanings to the words of a statute, as by enacting that the word "horses" shall be deemed to include "cows, sheep, and pigs," has sometimes been condemned by judges. But while we have perhaps no right to blame the Legislature for affixing any sense it pleases to its own language, it is surely too bad that it should take upon itself to give a non-natural meaning to the words of others, and say that a testator shall not be deemed to mean what he plainly says, unless he is careful to say it in a particular way. Some excuse might perhaps be made if all wills were necessarily prepared by lawyers conversant with these Acts, and with eyes open to their pitfalls; but experience shews that not even all the members of our own profession are in fact so conversant: and how are the large number of laymen who make their own wills to know that Parliament has given an artificial meaning to one of the simplest and least ambiguous of English words? In refreshing my memory as to the history of these Acts, I was pleased to come across a contemporary article in our old friend the *Law Times* denouncing the Act of 1867 as a "specimen of legislative tinkering," and protesting against Parliament's arbitrarily undertaking to "ascribe a fictitious intention to a testator." That the intention thus ascribed is generally fictitious will, I think, be admitted, even in the case of mortgages existing at the date of the will; but while in such a case it is at least conceivable (however improbable) that a testator, making no express provision for his debts, might intend the devisee to bear the existing encumbrance, it is impossible to suppose that he can have intended that the devisee should be burdened with some debt to be possibly contracted in the future, or that the value of his expectancy should (as a deposit of the deeds with bankers would cause it to do) fluctuate from day to day with the state of the testator's banking account; and if this is the case even in the absence of any express provision for debts, how utterly absurd does such a result seem where the testator has carefully set apart an ample fund for the payment of all his debts.

The increasingly common practice of throwing all kinds of property into a mixed fund no doubt largely restricts the operation of the Acts, but that they do violence to testator's intentions in a vast majority of the cases to which they apply can, I think, admit of no doubt whatever. After carefully studying every reported case on the subject, I have found none in which there is anything to suggest that the Acts effectuated the testator's intentions, but several in which the contrary is morally certain; and, unless your experience is very different from mine, many of you must recall similar cases in your own practice. And here, by way of illustration, I should like to state the facts of the case to which I referred at the outset. A wealthy testator had long promised to leave his house and grounds to a relative, and had made his will accordingly. The will

Oct. 15, 1892.

THE SOLICITORS' JOURNAL.

[Vol. 36.] 833

was not made in my office, but it was drawn by an experienced practitioner, who, knowing his client's position, never contemplated the possibility of his leaving any mortgage debt. He therefore made no special provision for such an event, but simply directed payment of all testator's debts out of certain specified parts of his personal estate. Subsequently to the date of the will a mortgage in which the testator was beneficially interested was paid off, and an investment was needed for the money. The testator wished it to be invested in bank shares, but the trustee, finding that mode of investment to be unauthorized, suggested that the testator should himself take the money and deal with it as he desired, depositing title deeds with the trustee as security for the amount. The title deeds of the house were accordingly deposited, and so remained till testator's death, when, by the operation of the Acts in question, the devisee found that, instead of what he had been led to expect, he got a property incumbered to the extent of two-thirds of its value, while the residuary legatees were undesignedly benefited to a corresponding extent. I cannot doubt that similar cases must be within the experience of some of you, and I put it to you that it is our duty as a profession to make an effort to put a stop to such miscarriages of justice. If the rule were a good one, one would expect to see it applied all round; yet no one thinks of extending it to incumbered personal property. Suppose a testator, desirous of benefiting the family of a relative, bequeaths to one member a policy of assurance, to another some shares, and to a third a leasehold house. As security for a temporary loan he hands the whole of the documents of title to his bankers and afterwards dies. The legatees of the policy and shares must have their legacies exonerated, while the unfortunate legatee of the house finds his legacy treated as the primary fund for payment of the whole of the debt. I referred just now to a modern decision as encouraging the hope of judicial sympathy with the desired amendment of the law. The case is that of *Re Fleck*, reported at 37 Ch. D. 677. There testator directed payment of his private debts out of some insurance moneys, and of his trade debts out of his residuary personality; and he devised his real estate in trust for his daughter and her children, and bequeathed his residuary personal estate to his son. After the date of his will he deposited the deeds of his real estate with his bankers for securing his overdraft, and they remained so deposited at his death. The son sought to throw the bank debt on the real estate, and I find it impossible to arrive at any other conclusion than that the Acts so require. The learned judge, however, managed to see his way to hold the contrary, and there can be no doubt that a glaring injustice was thereby avoided. It is, of course, not permissible to suppose that an English judge would yield to Bassanio's appeal to Portia, and "To do a great right do a little wrong"; yet one cannot help suspecting that the hardship of the case must have unconsciously affected his judgment. His decision was rested on the ground that as the terms "private debts" and "trade debts" made up an exhaustive description of testator's debts, the banker's debt was necessarily included, and therefore must be paid out of the personality; but to this it seems a sufficient reply that if the terms "private debts" and "trade debts" can together include any which would not be included in the term "all debts," we have a case in which the parts are greater than the whole. While there are several ways in which the evil might be more or less mitigated, my own view is clear that good sense demands nothing short of the absolute repeal of all these Acts, so far as they relate to any property passing by will. I could not, however, expect a general acquiescence in that view without fuller opportunity for consideration than a meeting like this affords, and I will, therefore, content myself with proposing a resolution which I hope may secure unanimous support, viz:—"That the present statute law as to the incidence of a testator's mortgage debts is calculated, in many instances, to defeat his intentions—and that the council be accordingly requested to take the subject into consideration, with a view to promoting improved legislation respecting it." Meanwhile, however, I may perhaps be pardoned if, in conclusion, I venture to offer to the younger members of our profession a simple piece of advice, attention to which would prevent much injustice and disappointment. It is this:—Make it your rule, whenever called upon to prepare a will disposing of real or leasehold estate in any manner different from that in which the general personal estate is dealt with, to add to whatever provision you may make for payment of debts the phrase, "including debts, if any, secured upon real or leasehold estate," or words to the like effect; and do not let your client persuade you to strike them out on the ground that he neither owes nor is likely to owe any such debts. Even the wealthy, as we have seen, may find it convenient for some temporary purpose to effect a mortgage or deposit deeds as security; and why should you run the risk of testator's intentions being defeated, and the just expectations of others disappointed, when less than a dozen words will make the matter safe?

LEGAL NEWS.

APPOINTMENTS.

Mr. JAMES CARTER HARRISON, solicitor, of 30, Bedford-row, W.C., has been appointed Tutor under the new system of Legal Education established by the Incorporated Law Society. He was admitted in October, 1880, after obtaining first-class honours at the Final Examination, and he has until recently prepared pupils for the Final and Intermediate Examinations, and has written several guides for students.

Mr. FREDERICK WM. HARDMAN, solicitor, of Deal, has also been appointed Tutor to the Incorporated Law Society. He was articled to Mr. C. Moorhouse, of Salford, and was admitted in March, 1882, after obtaining first-class honours at the Final Examination and the Stephen

Heelis Gold Medal. He left the solicitor branch of the profession in 1884, and was called to the bar, but he only remained a barrister for a short time. While studying for the bar he obtained a studentship of 100 guineas for two years in jurisprudence, Roman law, and international law. In 1885 he obtained a prize given by the Earl of Granville at King's College at an examination which followed a course of lectures on international law. He has prepared candidates for the London University law degrees and for the Solicitors' and the Bar Final Examinations.

Mr. LEONARD H. WEST, LL.D. (Lond.), solicitor, of Hull, has been appointed Tutor to the Incorporated Law Society. He was articled to Mr. T. Priestman, of Hull, and was admitted in January, 1887, after passing the Final Examination with honours.

Mr. JAMES BEAL, solicitor (of the firm of Friend & Beal), of Exeter, has been appointed a Perpetual Commissioner for the county of Devon. Mr. Beal was admitted in May, 1866. He is a Commissioner for Oaths.

Mr. B. G. DAVIES, solicitor and notary, of Barry Docks, has been appointed a Commissioner for taking the acknowledgments of Deeds by Married Women for the counties of Glamorgan and Monmouthshire.

CHANGES IN PARTNERSHIPS.

DISSOLUTIONS.

JOHN GEORGE DALZELL and EDWARD ADEN BERESFORD, solicitors (Dalzell & Beresford), 12, Clement's-inn, Strand, London. June 30. In future such business will be carried on by the said John George Dalzell.

[*Gazette*, Sept. 30.]

CHARLES LAW ATKINSON, CHARLES MAURICE WILSON, and WILLIAM JOHN WARD, solicitors (Atkinson, Wilson, & Ward), Bradford, York. Sept. 30.

GEORGE JAMES PIERCY and GUY HEATON, solicitors (Piercy & Heaton), Bournemouth. Sept. 28.

HENRY PONTER and DAVID WHYTT, solicitors (Ponter & Whytt), New Broad-street House, London. Sept. 29.

[*Gazette*, Oct. 4.]

JOHN ELLISON and ROBERT CRESSWELL BURROWS, solicitors (Ellison & Burrows), Cambridge. Sept. 30. The said John Ellison will continue to carry on business at 5, Petty Cury, Cambridge, aforesaid. The said Robert Cresswell Burrows will henceforth carry on business at 64, St. Andrew's-street, in Cambridge, aforesaid.

[*Gazette*, Oct. 7.]

GENERAL.

The election petition judges for the ensuing year will be chosen at the reassembling of the courts at the latter end of this month. Directly the judges are selected notice of trial in the pending Parliamentary election petitions will be sent out. There are eleven of these petitions set down, and there will certainly be two, if not three, courts formed for the purpose of expediting the hearing of these cases.

The following are the arrangements made by the judges of the Probate and Divorce Division for hearing probate and matrimonial causes during the ensuing Michaelmas Sittings:—Probate and defended matrimonial causes for hearing before the court itself will be taken on Monday, the 24th inst., and following days. Probate and defended matrimonial causes will in future form one list, and will be taken in the order in which they are set down. Undefended matrimonial causes will be taken after motions each Tuesday during the sittings and on other days to be appointed. Common jury cases will be proceeded with on Wednesday, the 9th of November, and following days. Probate and matrimonial common jury cases will also in future be put into one list. Special jury cases will be taken on Wednesday, the 30th of November, and following days, and these cases also will form one list and be taken in the order of entry. Summonses before the judge will be heard at 10.30, and motions will be heard in court at 11.30 on Tuesday, the 25th inst., and on every succeeding Tuesday during the sittings.

The *Daily Telegraph* says that at the next session of the Old Bailey the jury will be called upon to decide a very subtle question—namely, whether a man with a skull no thicker than a piece of paper, and therefore liable to be fractured by the gentlest tap, is entitled to more consideration in a fight than another with a thicker cranium. Arthur Perren and George Bartlett had some words in Camberwell over the payment of a pot of beer, and, as the inhabitants of even reputable Camberwell sometimes do, indulged in a few blows over it. The raps were nothing out of the common, and fell as hard on the one side as the other; but nature had given Bartlett a skull so thin that he succumbed to a blow which, had it been delivered by him upon the cranium of his opponent, would hardly have left a mark. The doctor reported to the magistrate at Lambeth, before whom Perren was charged, that he had never seen a thinner cranial covering. It was like an eggshell—only weaker. In fact, it was like a bit of paper, and when held up to the light was quite transparent. Mr. Hopkins committed the survivor for trial, and the Old Bailey jury will have to decide whether the fault lay in Perren striking too hard or in the other having a head too fragile. Had Bartlett given warning of his deficiency the case would have been different, but as he did not know himself—or he would never have drunk beer, far less quarrelled about it—he is not to be blamed for this neglect. It will be seen that the case involves curious questions not only of law but of physiology.

WARNING TO INTENDING HOUSE PURCHASERS & LESSERS.—Before purchasing or renting a house have the Sanitary arrangements thoroughly examined by an expert from The Sanitary Engineering & Ventilation Co., 88, next the Meteorological Office, Victoria-st., Westminster (Established 1873), who also undertake the Ventilation of Offices, &c.—[Anv.]

no change should be made in the authorities for granting liquor licences for places of entertainment; but that it is desirable to repeal the section of the Act of 5 & 6 Will. IV., c. 39, which empowers the Excise to grant beer and spirit licences to theatres."

This report ought not to be lightly regarded, and its recommendations are worthy of extension to the licensing of all places of entertainment and of public resort. I desire, therefore, to suggest that extension. At present we are informed, and probably the Local Government Board as now constituted has not considered, what body should arbitrate on questions vital to many owners of property. The United Kingdom Alliance and Sir Wilfrid Lawson have given no definite description of "the popular vote" and "local option." Possibly it is to be ascertained by polling a parish or a borough or a petty sessional division, possibly through the votes of the county council, the parish council, or some other elected body. Possibly that body, by vote of the majority or by poll of the ratepayers in a given area, may in one day do away with all the licences in some large or small locality. But who is to protect the interests of the owners of the property affected? The family solicitor and the professional adviser of the owner of licensed property (who may be a trustee for infants, or the shareholders in a big hotel company) would find it difficult to obtain a *locus standi*, and to address a parochial vestry or a county council on behalf of their clients. And there is another point to be noticed. Where the licensing of theatres remains with the county council, that body has the power of allowing the consumption of intoxicating liquor, as the proprietors of a theatre have only to pay excise duty and they may sell liquor without the sanction of the licensing justices. If the Government decide to follow the tendency of throwing more power in police matters into the hands of an elected body, the tribunal, I would suggest—to decide what houses should be licensed for the sale of intoxicating liquor for consumption on or off the premises, for the performance of stage plays, and for music and dancing—is a joint committee, similar to that recommended by the House of Commons Committee, partly composed of justices and partly of chosen representatives from the elected body. This joint committee should consist of four county magistrates and four members of the county council for counties—that is to say, for all places outside large boroughs; and for boroughs having a separate commission of the peace, of four borough magistrates and four members of the town council. The committee should have unlimited discretion in granting or refusing licences for one year, and it should have full responsibility to the criticism of public opinion; it should sit in open court; be subject to annual appointment; it should elect a chairman for the year, who should have a casting vote, and three should form a quorum. In counties the committee should travel to the principal places in each petty sessional division, and hold courts in each when, and as often as, public convenience required. In county boroughs they should sit at least eight times in a year, and oftener if required. All notices of new applications and transfers, and all objections to renewals, should be given pursuant to the Licensing Acts, 1872 and 1874. There should be no appeal from the decisions of the committee on any question of fact, nor as to the exercise of their discretion, but on all questions of law a case might be stated for a divisional court. And the committee should possess all necessary powers, at present vested in a court of summary jurisdiction, under "The Summary Jurisdiction Acts." If the fees for licences were chargeable on the present scale, the income would probably produce a fund sufficient to cover the travelling and other expenses of the committee, and to provide a just remuneration for its officers.

ON THE EXONERATION OF MORTGAGED ESTATES.

By LAURESTON W. LEWIS, Walsall, President of the Birmingham Law Society.

The object of the paper which I have undertaken to read is strictly practical—my aim being to call attention to the mischievous effects of what are commonly known as Locke King's Acts, in order first to ascertain if your experience of their operation agrees with my own, and if so, then to ask you to join with me in pressing the subject upon the attention of the council, with a view to the promotion of improved legislation respecting it. I have been mainly led to take up the matter by the recent occurrence in my own practice of a typical instance of the way in which these Acts operate to defeat a testator's intentions; and I am encouraged to think that the time is ripe for a change by the fact that, in almost the latest reported case on the question, a learned judge had the boldness to construe a will in accordance with the dictates of justice and common sense, though, as I venture to think, in defiance of the express language of these Acts as interpreted by the Court of Appeal. To make my objections intelligible, it will be convenient briefly to glance at the law as it stood before the passing of Locke King's original Act in 1854, and see how it was affected by that and the subsequent statutes. It is not necessary to consider in detail the order in which the various classes of assets were administered in different cases; it will be sufficient to keep in mind the general rule that the personal estate of an intestate, and where no contrary intention was indicated of a testator also constituted the primary fund for payment of all his debts, whether secured or unsecured. Accordingly the heir or devisee of real estate which at the death formed a security for a debt of the deceased, had the right to insist on the personality being applied in discharge of such debt, in exoneration of the real estate descended or devised; though the case was otherwise where the mortgage was not of the deceased's own creation, but was existing when he acquired the property. Locke King's Act altered this by enacting that on any death happening after 31st December, 1854, the heir or devisee should not be entitled to exoneration unless the de-

ceased should have signified a contrary intention, which contrary intention, however, strange to say, is not necessarily to appear from the will, but may be signified by any deed or other document, though I am not aware that any case of such extrinsic evidence has yet occurred in practice. It may be remarked in passing that this Act had at least the merit, which the later Acts had not, of not affecting wills made previously to its coming into operation. Now with this original Act I have no great quarrel—indeed, had it been confined to cases of intestacy I should have welcomed it as a step towards the removal of one of the hardships of our law of inheritance. But I am quite unable to see what occasion there was, in any other case, to alter a long-established and well-understood convention, which in the great majority of instances effectuated the intentions of the testator, and where this was not the case could be readily contra-indicated by the will. If a testator bequeaths his gold watch to his godson he intends the lad to have it, even though it should happen to be at the pawn-broker's when death occurs—and the law effectuates such intention—and in like manner, where he devises a house or farm, he in ninety-nine cases out of a hundred means that the devisee shall have the property itself, and not a mere right to redeem it by paying some debt which may happen at the death to be a charge upon it. In the very rare case of his intending the devisee to take *cum onere*, what more easy or more natural than to say so? Such considerations, however, might well not occur to a draftsman the measure of whose practical acquaintance with his subject may be taken from the language of the concluding proviso, which shews that he thought it possible that a man might claim as heir or devisee by virtue of some deed or instrument *inter vivos*! Still, faulty in principle and crude in execution as the Act was, it did little practical harm, because its operation was confined to cases where no contrary intention was indicated, and the all-but-universal practice of making express provision for the payment of all debts usually supplied conclusive evidence of such contrary intention. When, however, after thirteen years' experience, Mr. Locke King found that the Act was comparatively harmless, he contrived to procure the passing of his second Act, which provided in effect that after the 31st of December, 1867, a general direction to pay all debts out of personal estate should not be deemed to include debts secured by mortgage of real estate, unless such inclusion was required by further words expressly or by necessary implication referring to such mortgage debts. I notice in passing that although this Act speaks only of direction to pay debts out of personal estate, it was early decided that the same rule must necessarily govern all provisions for payment of debts, whether out of personal, real, or mixed estates—in other words, that whenever a testator specifies any source out of which all his debts are to be paid, he is to be deemed to mean all except debts secured upon real estate; and if he wants to include these he must expressly mention them. So the law stood for another ten years, when the second amending Act was passed, which after the 31st of December, 1877, extended the operation of the former Acts to leasesholds, and expressly placed equitable charges and liens in the same category as regular mortgages. This last Act calls for no special reprehension, as it is but the natural complement of the former Acts; it is against the principle of the Act of 1867 that I emphatically protest. The modern legislative practice of attaching fictitious meanings to the words of a statute, as by enacting that the word "horses" shall be deemed to include "cows, sheep, and pigs," has sometimes been condemned by judges. But while we have perhaps no right to blame the Legislature for affixing any sense it pleases to its own language, it is surely too bad that it should take upon itself to give a non-natural meaning to the words of others, and say that a testator shall not be deemed to mean what he plainly says, unless he is careful to say it in a particular way. Some excuse might perhaps be made if all wills were necessarily prepared by lawyers conversant with these Acts, and with eyes open to their pitfalls; but experience shews that not even all the members of our own profession are in fact so conversant: and how are the large number of laymen who make their own wills to know that Parliament has given an artificial meaning to one of the simplest and least ambiguous of English words? In refreshing my memory as to the history of these Acts, I was pleased to come across a contemporary article in our old friend the *Law Times* denouncing the Act of 1867 as a "specimen of legislative tinkering," and protesting against Parliament's arbitrarily undertaking to "ascribe a fictitious intention to a testator." That the intention thus ascribed is generally fictitious will, I think, be admitted, even in the case of mortgages existing at the date of the will; but while in such a case it is at least conceivable (however improbable) that a testator, making no express provision for his debts, might intend the devisee to bear the existing incumbrance, it is impossible to suppose that he can have intended that the devisee should be burdened with some debt to be possibly contracted in the future, or that the value of his expectancy should (as a deposit of the deeds with bankers would cause it to do) fluctuate from day to day with the state of the testator's banking account; and if this is the case even in the absence of any express provision for debts, how utterly absurd does such a result seem where the testator has carefully set apart an ample fund for the payment of all his debts.

The increasingly common practice of throwing all kinds of property into a mixed fund no doubt largely restricts the operation of the Acts, but that they do violence to a testator's intentions in a vast majority of the cases to which they apply can, I think, admit of no doubt whatever. After carefully studying every reported case on the subject, I have found none in which there is anything to suggest that the Acts effectuated the testator's intentions, but several in which the contrary is morally certain; and, unless your experience is very different from mine, many of you must recall similar cases in your own practice. And here, by way of illustration, I should like to state the facts of the case to which I referred at the outset. A wealthy testator had long promised to leave his house and grounds to a relative, and had made his will accordingly. The will

was not made in my office, but it was drawn by an experienced practitioner, who, knowing his client's position, never contemplated the possibility of his leaving any mortgage debt. He therefore made no special provision for such an event, but simply directed payment of all testator's debts out of certain specified parts of his personal estate. Subsequently to the date of the will a mortgage in which the testator was beneficially interested was paid off, and an investment was needed for the money. The testator wished it to be invested in bank shares, but the trustee, finding that mode of investment to be unauthorized, suggested that the testator should himself take the money and deal with it as he desired, depositing title deeds with the trustee as security for the amount. The title deeds of the house were accordingly deposited, and so remained till testator's death, when, by the operation of the Acts in question, the devisee found that, instead of what he had been led to expect, he got a property encumbered to the extent of two-thirds of its value, while the residuary legatees were undesignedly benefited to a corresponding extent. I cannot doubt that similar cases must be within the experience of some of you, and I put it to you that it is our duty as a profession to make an effort to put a stop to such miscarriages of justice. If the rule were a good one, one would expect to see it applied all round; yet no one thinks of extending it to incumbered personal property. Suppose a testator, desirous of benefiting the family of a relative, bequeaths to one member a policy of assurance, to another some shares, and to a third a leasehold house. As security for a temporary loan he hands the whole of the documents of title to his bankers and afterwards dies. The legatees of the policy and shares must have their legacies exonerated, while the unfortunate legatee of the house finds his legacy treated as the primary fund for payment of the whole of the debt. I referred just now to a modern decision as encouraging the hope of judicial sympathy with the desired amendment of the law. The case is that of *Re Fleck*, reported at 37 Ch. D. 677. There testator directed payment of his private debts out of some insurance moneys, and of his trade debts out of his residuary personality; and he devised his real estate in trust for his daughter and her children, and bequeathed his residuary personal estate to his son. After the date of his will he deposited the deeds of his real estate with his bankers for securing his overdraft, and they remained so deposited at his death. The son sought to throw the bank debt on the real estate, and I find it impossible to arrive at any other conclusion than that the Acts so require. The learned judge, however, managed to see his way to hold the contrary, and there can be no doubt that a glaring injustice was thereby avoided. It is, of course, not permissible to suppose that an English judge would yield to Bassano's appeal to Portia, and "To do a great right do a little wrong"; yet one cannot help suspecting that the hardship of the case must have unconsciously affected his judgment. His decision was rested on the ground that as the terms "private debts" and "trade debts" made up an exhaustive description of testator's debts, the banker's debt was necessarily included, and therefore must be paid out of the personality; but to this it seems a sufficient reply that if the terms "private debts" and "trade debts" can together include any which would not be included in the term "all debts," we have a case in which the parts are greater than the whole. While there are several ways in which the evil might be more or less mitigated, my own view is clear that good sense demands nothing short of the absolute repeal of all these Acts, so far as they relate to any property passing by will. I could not, however, expect a general acquiescence in that view without fuller opportunity for consideration than a meeting like this affords, and I will, therefore, content myself with proposing a resolution which I hope may secure unanimous support, viz.:—"That the present statute law as to the incidence of a testator's mortgage debts is calculated, in many instances, to defeat his intentions—and that the council be accordingly requested to take the subject into consideration, with a view to promoting improved legislation respecting it." Meanwhile, however, I may perhaps be pardoned if, in conclusion, I venture to offer to the younger members of our profession a simple piece of advice, attention to which would prevent much injustice and disappointment. It is this:—Make it your rule, whenever called upon to prepare a will disposing of real or leasehold estate in any manner different from that in which the general personal estate is dealt with, to add to whatever provision you may make for payment of debts the phrase, "including debts, if any, secured upon real or leasehold estate," or words to the like effect; and do not let your client persuade you to strike them out on the ground that he neither owes nor is likely to owe any such debts. Even the wealthy, as we have seen, may find it convenient for some temporary purpose to effect a mortgage or deposit deeds as security; and why should you run the risk of testator's intentions being defeated, and the just expectations of others disappointed, when less than a dozen words will make the matter safe?

LEGAL NEWS.

APPOINTMENTS.

MR. JAMES CARTER HARRISON, solicitor, of 30, Bedford-row, W.C., has been appointed Tutor under the new system of Legal Education established by the Incorporated Law Society. He was admitted in October, 1880, after obtaining first-class honours at the Final Examination, and he has until recently prepared pupils for the Final and Intermediate Examinations, and has written several guides for students.

MR. FREDERICK WM. HARDMAN, solicitor, of Deal, has also been appointed Tutor to the Incorporated Law Society. He was articled to Mr. C. Moorhouse, of Salford, and was admitted in March, 1882, after obtaining first-class honours at the Final Examination and the Stephen

Heelis Gold Medal. He left the solicitor branch of the profession in 1884, and was called to the bar, but he only remained a barrister for a short time. While studying for the bar he obtained a studentship of 100 guineas for two years in jurisprudence, Roman law, and international law. In 1885 he obtained a prize given by the Earl of Grauville at King's College at an examination which followed a course of lectures on international law. He has prepared candidates for the London University law degrees and for the Solicitors' and the Bar Final Examinations.

MR. LEONARD H. WEST, LL.D. (Lond.), solicitor, of Hull, has been appointed Tutor to the Incorporated Law Society. He was articled to Mr. T. Priestman, of Hull, and was admitted in January, 1887, after passing the Final Examination with honours.

MR. JAMES BEAL, solicitor (of the firm of Friend & Beal), of Exeter, has been appointed Perpetual Commissioner for the county of Devon. Mr. Beal was admitted in May, 1866. He is a Commissioner for Oaths.

MR. B. G. DAVIES, solicitor and notary, of Barry Docks, has been appointed a Commissioner for taking the acknowledgments of Deeds by Married Women for the counties of Glamorgan and Monmouthshire.

CHANGES IN PARTNERSHIPS.

DISSOLUTIONS.

JOHN GEORGE DALZELL and EDWARD ADEN BERESFORD, solicitors (Dalzell & Beresford), 12, Clement's-inn, Strand, London. June 30. In future such business will be carried on by the said John George Dalzell.

[*Gazette*, Sept. 30.]

CHARLES LAW ATKINSON, CHARLES MAURICE WILSON, and WILLIAM JOHN WARD, solicitors (Atkinson, Wilson, & Ward), Bradford, York. Sept. 30.

GEORGE JAMES PIERCY and GUY HEATON, solicitors (Piercy & Heaton), Bournemouth. Sept. 28.

HENRY PONTER and DAVID WHITT, solicitors (Ponter & Whitt), New Broad-street House, London. Sept. 29.

[*Gazette*, Oct. 4.]

JOHN ELLISON and ROBERT CRESSWELL BURROWS, solicitors (Ellison & Burrows), Cambridge. Sept. 30. The said John Ellison will continue to carry on business at 5, Petty Cury, Cambridge, aforesaid. The said Robert Cresswell Burrows will henceforth carry on business at 61, St. Andrew's-street, in Cambridge, aforesaid.

[*Gazette*, Oct. 7.]

GENERAL.

The election petition judges for the ensuing year will be chosen at the reassembling of the courts at the latter end of this month. Directly the judges are selected notice of trial in the pending Parliamentary election petitions will be sent out. There are eleven of these petitions set down, and there will certainly be two, if not three, courts formed for the purpose of expediting the hearing of these cases.

The following are the arrangements made by the judges of the Probate and Divorce Division for hearing probate and matrimonial causes during the ensuing Michaelmas Sittings:—Probate and defended matrimonial causes for hearing before the court itself will be taken on Monday, the 24th inst., and following days. Probate and defended matrimonial causes will in future form one list, and will be taken in the order in which they are set down. Undefended matrimonial causes will be taken after motions each Tuesday during the sittings and on other days to be appointed. Common jury cases will be proceeded with on Wednesday, the 9th of November, and following days. Probate and matrimonial common jury cases will also in future be put into one list. Special jury cases will be taken on Wednesday, the 30th of November, and following days, and these cases also will form one list and be taken in the order of entry. Summons before the judge will be heard at 10.30, and motions will be heard in court at 11.30 on Tuesday, the 25th inst., and on every succeeding Tuesday during the sittings.

The *Daily Telegraph* says that at the next session of the Old Bailey the jury will be called upon to decide a very subtle question—namely, whether a man with a skull no thicker than a piece of paper, and therefore liable to be fractured by the gentlest tap, is entitled to more consideration in a fight than another with a thicker cranium. Arthur Perren and George Bartlett had some words in Camberwell over the payment of a pot of beer, and, as the inhabitants of even reputable Camberwell sometimes do, indulged in a few blows over it. The raps were nothing out of the common, and fell as hard on the one side as the other; but nature had given Bartlett a skull so thin that he succumbed to a blow which, had it been delivered by him upon the cranium of his opponent, would hardly have left a mark. The doctor reported to the magistrate at Lambeth, before whom Perren was charged, that he had never seen a thinner cranial covering. It was like an eggshell—only weaker. In fact, it was like a bit of paper, and when held up to the light was quite transparent. Mr. Hopkins committed the survivor for trial, and the Old Bailey jury will have to decide whether the fault lay in Perren striking too hard or in the other having a head too fragile. Had Bartlett given warning of his deficiency the case would have been different, but as he did not know himself—or he would never have drunk beer, far less quarrelled about it—he is not to be blamed for this neglect. It will be seen that the case involves curious questions not only of law but of physiology.

Monday—Sitting in Chambers.

Tuesday, Wednesday, and Thursday—Witness Actions, Non-Witness Actions (including Further Considerations), and Adjourned Summons as from time to time arranged.

Friday—Motions and Non-Witness Actions or Adjourned Summons.

Motions will also be heard on the first and last days of the Sittings—Monday, October 21, and Wednesday, December 21.

Saturday—Short Causes, Petitions, and Non-Witness Actions or Adjourned Summons.

Actions with Witnesses will be taken as soon as the other business in the printed Cause List for the Sittings has been disposed of.

HIGH COURT OF JUSTICE—QUEEN'S BENCH DIVISION.

MICHAELMAS SITTINGS, 1892.

A to F.—All applications by summons or otherwise in actions assigned to Master Kaye are to be made returnable before him in his own room, No. 181, at 11.30 a.m. on Mondays, Wednesdays, and Fridays.

G to N.—All applications by summons or otherwise in actions assigned to Master Butler are to be made returnable before him in his own room, No. 112, at 11.30 a.m. on Tuesdays, Thursdays, and Saturdays.

O to Z.—All applications by summons or otherwise in actions assigned to Master Wilberforce are to be made returnable before him in his own room, No. 179, at 11.30 a.m. on Tuesdays, Thursdays and Saturdays.

The parties are to meet in the ante-room of master's chambers, and the summonses will be inserted in the printed list for the day after the summonses to be heard before the master sitting in chambers, and will be called over by the attendant on the respective rooms for a first and second time at 11.30, and will be dealt with by the master in the same manner as if they were returnable at chambers.

BY ORDER OF THE MASTERS.

MASTERS IN CHAMBERS.

A to F.—Mondays, Wednesdays, and Fridays, Master Johnson; Tuesdays, Thursdays, and Saturdays, Master Pollock.

G to N.—Mondays, Wednesdays, and Fridays, Master Walton; Tuesdays, Thursdays, and Saturdays, Master Macdonell.

O to Z.—Mondays, Wednesdays, and Fridays, Master Archibald; Tuesdays, Thursdays, and Saturdays, Master Maulay Smith.

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

EVANS.—Sept. 29, at Heathfield place, Halifax, Yorks, the wife of Richard Watson Evans, B.A., LL.B., solicitor, Halifax, of a son.

GLYN.—Oct. 3, at Broomhills, Bexley, Kent, the wife of Lewis Edmund Glyn, of 2, Temple-gardens, barrister-at-law, of a son.

GRACE.—Oct. 1, at St. Andrews, the wife of Charles Stuart Grace, Writer to the Signet, of a son.

WILLIAMS.—Oct. 11, at 3, Summer-terrace, the wife of F. Sims Williams, barrister-at-law, of the Inner Temple, of a son.

MARRIAGES.

CHAYTOR.—GAMBELL.—Oct. 1, at Callan Church, county Kilkenny, David Grainger Chaytor, barrister-at-law, to May, second daughter of the late Arthur Gambell, of Washbrook, county Westmeath, and Surge View, County Mayo.

FORS—SWABEY.—Sept. 29, at St. Michael's Church, Paddington, Francis J. C. Fors, of Maidenhead, solicitor, to Mary Anne, daughter of the late Stephen Swabey, of Prince Edward's Island.

GROOME—MARSHALL.—Oct. 6, at the Upper Norwood Congregational Church, Alfred Groome, solicitor, fourth son of John Groome, of Ellesmere-park, Eccles, Manchester, to Charlotte Helena (Nellie), eldest daughter of Frederick Marshall, barrister-at-law, of The Oaks, Alleyne-park, West Dulwich.

DEATHS.

DAVIS.—Oct. 1, at 6, West Maitland-terrace, Edinburgh, John Mortimer Davis, of 27, Queen's-gardens, W., and Lincoln's-inn, aged 34.

GROVES.—Oct. 6, at Ventnor Lodge, Hove, Brighton, William Groves, of 15, Great George-street, Westminster, solicitor, aged 63.

KIDD.—Oct. 11, at Well House, Holmfirth, Martin Kidd, solicitor, aged 90.

SAFON.—Oct. 10, William Salmon, solicitor, formerly, and for 35 years, Town Clerk of Bury St. Edmunds, aged 76.

WINDING UP NOTICES.

London Gazette.—FRIDAY, Oct. 7.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

CLAREMONT HOTEL CO., LIMITED.—Petition for winding up, presented Oct. 3, directed to be heard at the Chancery Office, 9, Cook st., Liverpool, on Oct. 18 at 11. Johnson & Dowding, Moorgate st., agents for Claremont, Preston, solicitor for petitioner.

LONDON SYPHON MANUFACTURING CO., LIMITED.—Creditors are required, on or before Oct. 14, to send their names and addresses, and the particulars of their debts or claims, to Henry Brown, 13, Victoria st., S.W.

OBRELLS BREWERY SYNDICATE, LIMITED.—Creditors are required, on or before Nov. 19, to send their names and addresses, and the particulars of their debts or claims, to Joseph H. Peters, 62, King st., Manchester, solicitor for liquidator.

ROSE KLEEBERGER GOLD CO., LIMITED.—Creditors are requested, on or before Dec. 31, to send their names and addresses, and the particulars of their debts or claims, to Charles March, 5, Church st., Old Jewry. Francis & Johnson, Austinfriars, solicitors for liquidator.

FRIENDLY SOCIETIES DISSOLVED.

RATHY MALE FRIENDLY SOCIETY, Rathy Board School, Leicester. Oct. 4.

SACRISTY DUDLEY, Earl of Leycester branch of the Ancient Order of Shepherds, Coventry Arms Inn, Chapel st., Warwick. Oct. 4.

London Gazette.—TUESDAY, Oct. 11. JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

CROWN SYNDICATE, LIMITED.—Creditors are required, on or before Nov. 17, to send their names and addresses, and the particulars of their debts or claims, to William Henry Fox, 9, Austinfriars. Francis & Johnson, Austinfriars, solicitors for liquidator.

INTERNATIONAL LAND SYNDICATE, LIMITED.—Petition for winding up, presented Aug. 6, directed to be heard on Oct. 25. Lattey & Hart, Devonshire sq., Bishopsgate, solicitors for petitioner. Notice of appearing must reach the abovenamed not later than 6 o'clock in the afternoon of Oct. 24.

ROCKDALE AND ROSENDALE BREWERY CO., LIMITED.—Creditors are required, on or before Nov. 16, to send their names and addresses, and the particulars of their debts or claims, to William Henry Bentley, Packer st. chambers, Rochdale. Worth, Rochdale, and Standing & Co., Rochdale, joint solicitors for liquidator.

SOUTH METROPOLITAN TRADING CO., LIMITED.—Petition for winding up, presented Aug. 15, directed to be heard on Oct. 25. Sydney James, 60, Lincoln's inn fields, solicitor for petitioner. Notice of appearing must reach the abovenamed not later than 6 o'clock in the afternoon of Oct. 24.

CREDITORS' NOTICES.

UNDER ESTATES IN CHANCERY.

LAST DAY OF CLAIM.

London Gazette.—TUESDAY, Sept. 27.

PARKINSON, JOHN, Rhodes, Lancaster, Foreman Dyer. Oct. 28. Parkinson v Parkinson, Registrar, Manchester. Hankinson, Manchester

London Gazette.—FRIDAY, Sept. 30.

BRADSHAW, EDWARD, Manchester, Yarn Agent. Oct. 31. Pendlebury v Bradshaw, Registrar, Manchester. Grundy & Lamb, Manchester

London Gazette.—TUESDAY, Oct. 4.

DICKINSON, RICHARD HUNT, Evenwood, Durham, Blacksmith. Oct. 25. Dickinson Dickinson, Smith, Registrar, Durham. Watson, Barnard Castle

London Gazette.—TUESDAY, Oct. 11.

SHARKEY, THOMAS, Waterloo, Lancaster, Wine Merchant. Nov. 5. Bent's Brewery Co v Sharkey, Registrar, Liverpool. Smith, Lord st., Liverpool

UNDER 22 & 23 VICT. CAP. 35.

LAST DAY OF CLAIM.

London Gazette.—FRIDAY, Sept. 30.

ARMITAGE, GEORGE WILLIAM, Bradford, Licensed Victualler. Dee 1 Freeman, Bradford

BAIRD, SARAH ANN, Norwich. Nov. 5. Gilbert, Norwich

BATES, GEORGIANA ELLIOT, Milbourne hall, Northumberland. Nov. 1 Leadbitter & Harvey, Newcastle on Tyne

BOSTOCK, JOHN, Ilkeston, co Derby, Contracting Miner. Oct. 23 Green & Williams, Nottingham

BURTON, MARY DRAKE, Seaton, co Devon. Nov. 15 Dymond, Exeter

COOK, JOHN, Wingate, co Durham, retired Grocer. Oct. 31 Watson & Smith, Durham

DAVIES, WINIFRED, Bootle. Oct. 20 Snowball & Co., Liverpool

ENGLAND, GEORGE, Chard, Somerset, Gent. Oct. 14 Clarke & Lukin, Chard

FORSTER, ROBERT, Scarborough. Nov. 11 Turnbull & Co., Scarborough

GLASSFORD, HELEN JANE, Gipey hill, Upper Norwood. Oct. 31 Neal, Lime st

GOFF, GEORGE ROMAINE, Westminster Bridge rd., Lambeth, Surgeon. Dee 1 Laundry & Co., Strand

GRANT, THOMAS MUIR, Roseleigh avenue, Leigh rd., Highbury, Gent. Nov. 12 Crowley, Arundel st., Strand

GUDGEON, WILLIAM, Wembley, Oxon, Gent. Nov. 19 Price & Son, Walbrook

HANCOCK, JAMES, Cartlett, Haverfordwest, formerly Farmer. Nov. 5 Eaton-Evans & Williams, Haverfordwest

HAWKES, MARY ANN, Princes sq., Kennington Park rd. Oct. 24 Tiddeman & Esthaves, Finsbury

HIGGINS, ELIZABETH, Waters Upton, Salop. Oct. 31 W. R. & P. S. Minor, Manchester

HIGSON, PHEBE, Whitehaven. Nov. 1 Brockbank & Co., Whitehaven

HILL, JAMES, Notts, retired Brick Manufacturer. Forthwith Iveson & Son, Gainsborough

HOULDEN, THOMAS, Hayton, Yorks, Farmer. Nov. 19 Robson, Pocklington

JOSSELYN, GEORGE, Sproughton, Suffolk, Gent. Oct. 22 Josselyn & Sons, Ipswich

KEY, JONATHAN MUCKLESTON, Brixton Hill, Esq. Nov. 14 Smith & Co., Throgmorton avenue

LEVY, MARY, Camberwell rd. Dee 1 C & E Woodroffe, Gt Dover st., Southwark

MCKINLESS, THOMAS, Preston, Tailor. Oct. 21 Thompson & Oakley, Preston

MEAD, GEORGE EDWARD, Arundel st., Piccadilly circus, Solicitor. Nov. 13 Mead & Sons, Arundel st., Piccadilly circ

MORGAN, ARTHUR EDWARD, Rhual Issa, nr Mold, Flint, Captain 71st Regiment. Nov. 15 Gold & Co., Denbigh

MORRIS, JOHN, Tyldes, New Moat, Poms, Pensioned Asylum Attendant. Nov. 5 Eaton-Evans & Williams, Haverfordwest

MORRISH, HENRY, Bath, Wine Merchant. Oct. 21 Bartlett, Bath

MUGGERIDGE, ELIZABETH, Phillimore gdns, Kensington. Nov. 1 Baylis & Pearce, Church et charr, Old Jewry

NORTON, GEORGE SMITH, The Paragon, Streatham, Gent. Nov. 19 J. E. & S. A. Walker, Chancery lane

PARRY, HENRY, The Elms, Ponder's End, Gent. Nov. 1 Ashbridge, Whitechapel rd.

PATTISON, HENRY, Talbenny, Poms, retired Custom House Officer. Nov. 5 Eaton-Evans & Williams, Haverfordwest

READ, ELIZABETH, Norton in Hales, nr Market Drayton, Salop. Nov. 1 Onions & Son, Market Drayton

REAV, MARY ANN, Chichester st., Pimlico. Nov. 1 Rogers & Co., Victoria st.

RENDALL, JOHN COLIN, Hemel Hempstead, Herts, Wheelwright. Dee 1 Copping, Godliman st., Doctor's Commons

SAMES, SARAH, Blackburn. Nov. 1 Porter, Blackburn

SANDS, JOEL, Heathfield, Sussex, Miller. Nov. 23 Philcox, Burwash

SEBBALL, JOHN, Chertsey, Surrey, Saddler. Oct. 31 Whale, Woolwich and Canons st.

SHOVELTON, MARGARET, Leigh, Lancs. Nov. 1 Lancashire, Manchester and Leigh

SMITH, THOMAS, High Walton, Lancs, Farmer. Oct. 21 Thompson & Oakley, Preston

STRUTHERS, JAMES FERGUSON, Higher Tranmere, co Chester, Joiner. Nov. 1 Lamb & Taylor, Birkenhead

TAYLOR, FRANK, Coventry, Licensed Victualler. Oct. 29 Streetly, Coventry

THIRWLIS, SHAW, Grappenhall, co Chester, Esq. Oct. 29 White & Sons, Warrington

TURNER, NATHAN, Church hill, Walthamstow, Gent Nov 19 Budd, Chancery lane
 WILSON, GEORGE, Purston Jaglin, nr Pontefract, Gent Oct 20 Dixons & Horne, Wakefield
 WILSON, WILLIAM, Preston, Veterinary Surgeon Oct 21 Thompson & Oakey, Preston
London Gazette.—TUESDAY, Oct. 4
 BURCHELL, PETER LODWICK, F.R.C.S., Bradwell on Sea, Essex Nov 1 King & Buttell,
 King st, Cheapside
 CHAPMAN, JOHN, Kirkby Lonsdale, Westmrid, Husbandman Nov 1 Pearson & Pearson,
 Kirkby Lonsdale
 CLAXTON, WILLIAM DAVID FLETCHER, Bristol, Professor of Music Dec 21 Hunt & Co.,
 Bristol
 EAGLES, HARRIET, Leamington Nov 15 W. & W. C. Hannay, Leamington
 ELMITT, JOSEPH, Bucknall, Lincs, Farmer Nov 17 Clitheroe & Elsecy, Horncastle
 GOLDSBERG, DAVID, Randolph rd, Maida Vale, Gent Nov 7 J. N. Mason & Co,
 Grosvenor st
 HARDINGE, CECILIA, Queen's gate pl, Queen's gate Oct 21 Blackmore & Co., Alresford,
 Hants
 HARPER, EDWARD, Sutton Coldfield, co Warwick Nov 15 Rabnett, Birmingham and
 Sutton Coldfield
 LINES, MARY ANN, Baringdon, Herts Oct 25 Marshall & Haslip, Martin's lane,
 Cannons st
 LLOYD, THOMAS, Winchester, Ironmonger Nov 12 Bailey & White, Winchester
 MOORE, Right Hon. Lady ELIZABETH ANNE, Edinburgh Nov 10 Crosse & Sons, Lan-
 caster place, Strand
 NEAL, EDWARD, Dorking, Surrey, Farmer Nov 5 Purkis & Co, Lincoln's inn fields
 NEAVE, MATTHEW, North Walsham, Norfolk, Farmer Nov 14 Empson, North Walsham
 PRIMROSE, EDWARD MONTAGU, Talbot rd, Bayswater, Clerk in the Admiralty Nov 1
 Goldberg & Langdon, West st, Finsbury circus
 RADCLIFFE, SUSANNA, Werneth by Hyde, co Chester Oct 28 Broadsmith & Stead, Man-
 chester
 SMITH, THOMAS CHATTERTON, Rainhill, Lancs, Managing Director of Gas and Water Co
 Nov 4 Collins & Co, Liverpool
 STANFIELD, SCOTT, Ilklingwood, Overden, Halifax Oct 31 Barstow & Midgley, Halifax
 TOMPKINS, ARABELLA, Ivinghoe, Bucks Oct 30 Neall & Barker, South sq, Gray's inn

London Gazette.—FRIDAY, Oct. 7.

ANGELL, GEORGE, Evesham, Gardener Dec 1 Brych & Cox, Evesham
 ARUNDALE, JOSEPH, Bredbury, nr Stockport, Beersteller Oct 15 Horridge, Bolton
 AXTELL, CUTHBERT, Kennington pk rd Dec 1 Newman & Co, Clement's inn
 BELLAS, GEORGE, Skipwith, nr Selby, Yorks, Farmer Dec 1 Parker & Parker, Selby
 BIRCH, CHARLES, King's rd, Brownswood pk, retired Stationer Nov 1 Griffith & Co,
 George st, Mansion House
 BLAGGON, ISABELLA HARRIET, Clevedon, Somerset Nov 19 Glyde, Bristol
 BOWLER, ELICE, Knaresborough, Yorks Oct 22 Gilling, Harrogate and Knaresborough
 BRAY, JOSEPH, Back lane, Strand on Green, Chiswick, Bricklayer Nov 21 Wo dbridge
 & Sons, 5, Sergeant's inn and Brentford
 CARE, ALICE, Melbourne, co Derby Dec 1 J & W H Sale, Derby
 CASSIN, Rev BURMAN, the Paragon, New Kent rd, Rector of St George the Martyr Oct 14
 Hayward, Coleman st
 COLLING, EDWARD, Stockton on Tees, Carter Nov 10 Watson & Co, Stockton on Tees
 CROSS, CHARLES, Lincoln Dec 21 Tweed & Co, Lincoln
 CULLEN, GEORGE BATLIE, the Crescent, Kensington, Esq Oct 23 Minshall & Co,
 Chancery lane
 DAVIS, HUGH, Observatory avenue, Kensington, Retired Captain in Royal Navy Nov 30
 Green, Mitre et chambres, Temple
 DENCE, SAMUEL, Worth, Sussex, Carpenter Nov 11 Head & Sons, East Grinstead

ENGELBACH, ELIZA WHITTER, Worthing Nov 5 Chadwick, Bedford row
 FIELDING, DANIEL, Overden, nr Halifax, Common Brewer Nov 19 England, Halifax
 FORSTER, GEORGE, Durham, Ironmonger Nov 30 Watson & Smith, Durham
 GAY, ELIZABETH, Illogan, Cornwall Nov 5 Paige & Grylls, Bedruth
 GOLDSTEIN, DAVID, Bloomfield st, Finsbury, Restaurant Keeper Nov 21 Miller & Co,
 Salter's Hall ct
 HARBORG, HENRY, Holborn cir, Watch Importer Oct 31 Letts Bros, Bartlett's bldgs
 HUBERT, JAMES, Ipswich, retired Shipwright Nov 5 Aldous & Turner, Ipswich
 JONES, EDWARD, Hirnant, Montgomery, Yeoman Oct 25 Pughe, Llanfyllin
 JONES, JOHN HENRY, Westfield vills, Wanstead, Merchant's Clerk Nov 8 Davis, Basing-
 hall st
 JOURDAN, AUGUSTINE VALLEE, Bethnal green rd, Silk Merchant Oct 30 Myers, Worm-
 wood st, Old Broad st
 KEADLE, CHARLES BROOME, Up Lamborne, Berks, Gent Nov 5 Barnes, Lamborne
 LONG, JANE, Cheriton, co Southampton Nov 19 Gunny & Renny, Bishop's Waltham
 MACNEILL, DUNCAN, Old Broad st, Merchant Nov 7 Griffith & Co, Brighton and George
 st, Mansion House
 MATHER, JOHN, Preston, Gent Oct 29 Craven, Preston
 MATTHEWS, WILLIAM EDWIN, Manchester, Silk Merchant Oct 31 Barrow & Smith,
 Manchester
 McCLOUD, ALEXANDER (jun), Newcastle on Tyne, Draper Nov 6 Ward, Newcastle on
 Tyne
 MORGAN, MARTHA, Bath Nov 20 Cumberland, Clare st, Bristol
 OSTLE, ELIZABETH, Birkby, Crosscanobury, Cumbri Nov 14 Tyson & Hobson, Maryport
 OXTON, JOSEPH, Storeton, co Chester, Farmer Nov 17 Laces & Co, Liverpool
 RIDLEY, PETER WILLIAM, Westdown rd, Stratford Nov 15 Freeman & Son, Gutter lane,
 Cheapside
 ROBINSON, JAMES SALKELD, Rochdale, Engineer Nov 4 Molesworth & Cheetham, Roch-
 date
 RODGER, FREDERICK, Worcester, NewsVendor Nov 12 Southall, Worcester
 ROGERS, WILLIAM HENRY, Penn, Staffs, Esq Nov 1 H. & J. E. Underhill & Thorne-
 croft, Wolverhampton
 SCHWABACHER, LEOPOLD, Bread st, Warehouseman Nov 21 Montagu, Bucklersbury
 SHELDON, THOMAS, Aston-juxta-Birmingham, Gent Nov 15 Restall, Birmingham
 SNAPE, MARGARET, Lancaster, Game Dealer Nov 12 Saul, Lancaster
 STEPHENS, ROBERT THOMAS, Penrose, Mon, Farmer Nov 18 Watkins & Co, Pontypool
 STONE, RICHARD, Great Holland Lodge, Essex, retired Farmer Oct 23 H & F Stone,
 Architects, 20, John st, Bedford row
 STORY, MATTHEW WILLIAM, Sunderland, Common Brewer Nov 23 Bell & Sons, Sunder-
 land
 SYMES, EDWARD BARNES, Devonshire rd, Forest Hill, retired Builder Nov 20 Tabor &
 Matthews, Bush lane, Cannon st
 TROWHAN, MATTHEW, Dudley, Chain Manufacturer Oct 22 Cooksey, Old Hill, Staffs
 VISE, ANN, Shenley, Herts Nov 7 Byfield, Gt St Helens, and Barnet
 VISE, WILLIAM, Friern lane, Friern Barnet, Gent Nov 7 Byfield, Gt St Helens, and
 Barnet
 WHEELER, GEORGE BRODIE, Dawes rd, Fulham, Grocer Nov 1 Phillips, Old Broad st
 WHITWORTH, ROBERT, Rochdale, Gent Nov 5 Brierley & Hudson, Rochdale
 WILLIAMS, THOMAS WALTER, Brockley, Kent Nov 10 Neal, Lime st
 WILLIAMS, WILLIAM HOLE, Howard rd, Gunnersbury, Colliery Proprietor Nov 1
 Williams & Co, Laurence Pountney Hill
 WILLIS, ROBERT, Birmingham, Gent Nov 30 Cottrell & Son, Birmingham
 WOODCOCK, SARAH, West Chinnoch, Somerset Nov 5 J & W B Sparks & Blake, Crew-
 kerne

BANKRUPTCY NOTICES.

London Gazette.—FRIDAY, Oct. 7.
 RECEIVING ORDERS.

ALDEN, GEORGE, Well st, Hackney, Boot Manufacturer High Court Pet Oct 4 Ord Oct 4
 ATKINSON, FREDERICK, Stockton on Tees, Ironmonger Newcastle on Tyne Pet Oct 5 Ord Oct 5
 BAINISTER, THOMAS, and GEORGE BAINISTER, Staines rd, Hounslow, Florist Brentford Pet Oct 3 Ord Oct 3
 BINDER, JOSEPH WILLIAM, Bromley, Kent, Bank Clerk Croydon Pet July 25 Ord Oct 4
 BOOTHMAN, JOSEPH, Oswaldtwistle, Lancs, Labourer Blackburn Pet Oct 4 Ord Oct 4
 BOUCHER, SIDNEY, Berners st, Oxford st High Court Pet Aug 19 Ord Oct 3
 BOWERS, GEORGE H., Leeds, Builder Leeds Pet Sept 21 Ord Oct 3
 COLLISON, ALLAN, Halifax, Fish Merchant Halifax Pet Oct 5 Ord Oct 5
 CURTIS, HENRY, Kinson, Dorset, Commission Agent Poole Pet Oct 1 Ord Oct 1
 DAVIES, JOHN, Neynus, nr Mold, Flints, late Publican Liverpool Pet Sept 12 Ord Oct 3
 DAVIES, JOHN, Tonypandy, Glam, Builder Pontypridd Pet Sept 21 Ord Oct 3
 DEBBYSHIRE, JOHN, the elder, Longton, Staffs, Engineer Longton Ord 5 Ord Oct 5
 GREENLAND, HENRY, Keynsham, Tailor Bristol Pet Oct 5 Ord Oct 2
 GREGORY, ARTHUR, Lyndhurst grove, Camberwell, House Dealer High Court Pet Oct 5 Ord Oct 5
 GRIFFITHS, JOHN, Ambleton, Pembs, Farmer Pembroke Dock Pet Oct 4 Ord Oct 4
 GREENAWAY, RICHARD, Dewsbury, Temperance Hotel Proprietor Dewsbury Pet Oct 4 Ord Oct 4
 HAWKSFORD, LOUIS STEPHEN, Aston, Warwickshire, Peninsulator Manufacturer Birmingham Pet Sept 17 Ord Oct 4
 HILL, HENRY MARK, Heath town, nr Wolverhampton, Brick Manufacturer Wolverhampton Pet Oct 6 Ord Oct 5
 HODGES, RICHARD, Higher Ince, Lancs, Butcher Wigan Pet Oct 4 Ord Oct 4
 HOLgate, JOHN, Beeston, Bradford, Milk Dealer Bradford Pet Oct 2 Ord Oct 3
 JESSUP, ROBERT MARSHALL, Swindon, nr Gloucester, Yorks, late Chemist Wakefield Pet Oct 3 Ord Oct 3
 JOHN, OWEN, Carnarvon, Mineral Water Manufacturer Bangor Pet Oct 1 Ord Oct 1

LEE, JAMES CHEDZOT, Theobald's rd, Holborn, Gas Engineer High Court Pet Oct 3 Ord Oct 3
 MANN, WILLIAM, Horsham, Sussex, Coal Merchant Brighton Pet Oct 5 Ord Oct 5
 MARSHALL, H T LETHERIDGE, Devereux crt, Temple High Court Pet Sept 3 Ord Oct 5
 NORTHCOTE, EDITH, Thurloe pl, South Kensington, Spinster High Court Pet Sept 3 Ord Oct 1
 ODGEN, RALPH TUNNICLIFFE, Rochdale, Wool Merchant Oldham Pet Sept 19 Ord Oct 3
 OMENTON, JAMES WILKS, Houghenden rd, Hammersmith, Builder High Court Pet Oct 5 Ord Oct 5
 OSBOROUGH, HENRY, Stockton on Tees, Clothier Stockton on Tees Pet Oct 3 Ord Oct 3
 POOLE, ELICE, Stanwell Moor Farm, Stanwell, Farmer Kingston, Surrey Pet Oct 3 Ord Oct 3
 SCAMMELL, HARRIET, Garnvach, Nantyglo, Mon, Boot Dealer Tredegar Pet Oct 2 Ord Oct 3
 SHORT, RICHARD, Cardiff, Shipbuilder Cardiff Pet Oct 4 Ord Oct 4
 STAET, FREDERIC WILLIAM, Walsall, Tea Merchant Walsall Pet Oct 4 Ord Oct 4
 SUNDERLAND, YOUNG, Brighouse, Yorks, Cotton Doubler Halifax Pet Oct 3 Ord Oct 3
 TATTERSALL, RICHARD, Ainsdale, nr Southport, Market Gardner Liverpool Pet Oct 5 Ord Oct 5
 WADDINGTON, JOSEPH, Stainland, nr Halifax, Hay Dealer Halifax Pet Oct 3 Ord Oct 3
 WILLIAMS, EDWARD, Presteigne, Radnor, Haulier Lominister Pet Oct 5 Ord Oct 5
 WOOLGAR, GEORGE DURANT, East Grinstead, Sussex, Ironmonger Tunbridge Wells Pet Aug 25 Ord Sept 30
 The following amended notice is substituted for that published in the London Gazette, Aug. 30:—

COX, CHARLES WALTER, and FREDERIC GEORGE ROBINSON, Liverpool, Electrical Engineers Liverpool Pet Aug 27 Ord Aug 27

The following amended notices are substituted for those published in the London Gazette, Sept 30:—

DOHNER, WILLIAM THOMAS, East Ham, Estate Agent Oxford Pet Sept 10 Ord Sept 28

SMITH, HENRY, Malvern Link, Warks, Grocer Worcester Pet Sept 19 Ord Sept 23

RECEIVING ORDER RESCINDED.

HART & CO, Gt Prescot st, Whitechapel, Bookbinders High Court Pet Sept 9 Esse Oct 5

FIRST MEETINGS.

ABERCROMBIE, ARTHUR, Whitsfield st, Tottenham court rd,

Brass Founder Oct 18 at 12 Bankruptcy bldgs, Carey st
 ARROBOS, SIDNEY, Beech st, Barbican, Fancy Stove Ornament Maker Oct 19 at 11 Bankruptcy bldgs, Carey st
 BEDDOE, EDWARD, Nelson village, Llanfabon, Glam, Colliery Proprietor Oct 14 at 12 Off Rec, Merthyr Tydfil
 BELL, SAMUEL FRANK, Lower marsh, Lambeth, Butter Merchant Oct 19 at 12 Bankruptcy bldgs, Carey st
 BRANDON, GEORGE THOMAS, Bedford, Painter Oct 24 at 10.30 Off Rec, 1a, St Paul's sq, Bedford
 CHAPMAN, CHARLES HENRY, Croydon, Commercial Traveller Oct 14 at 11.30 24, Railway app, London Bridge
 CHARLTON, GEORGE, Streatham, Berks, Farm Bailiff Oct 14 at 3 1, St Aldate's, Oxford
 COLLINGTON, JOHN WILLIAM, Nottingham, Boot Dealer Oct 14 at 11 Off Rec, St Peter's Church walk, Nottingham
 COLLINS, WILLIAM, Osborne rd, Thornton Heath, late Fishmonger Oct 20 at 12 Bankruptcy bldgs, Carey st
 COLQUHOUN, GEORGE, Cardiff, Coal Contractor's Manager Oct 14 at 12 Off Rec, 29, Queen st, Cardiff
 COOK, JOHN, Preston, Coal Dealer Oct 23 at 3 Off Rec, 14, Chapel st, Preston
 CURTIS, HENRY, Kinson, Dorset, Commission Agent Oct 14 at 1 Off Rec, Salisbury
 DORMOR, WILLIAM THOMAS, East Hanney, Berks, Farmer Oct 15 at 3 1, St Aldate's, Oxford
 DRURY, HENRY, Hereford, Greengrocer Oct 14 at 10 2, Off st, Hereford
 GREENLAND, HENRY, Keynsham, Somerset, late Tailor Oct 19 at 2 45 Off Rec, Bank chmbs, Corn st, Bristol
 HODGKIN, RICHARD, Higher Ince, Lancs, Butcher Oct 14 at 11 Court house, King st, Wigan
 HOLgate, JOHN, Heaton, Bradford, Mill Dealer Oct 18 at 11 Off Rec, 31, Manor row, Bradford
 HUGHES, CHARLES, formerly of Openshaw, nr Manchester, formerly Provision Dealer Oct 14 at 11.15 Ogden's chmbs, Bridge st, Manchester
 HUMPHRIES, JOSEPH HENRY, Church st, West Ham, Estate Agent Oct 17 at 12 Bankruptcy bldgs, Carey st
 ISAACS, LANCELOT HENRY, Gloucester st, Pimlico Oct 15 at 12 Bankruptcy bldgs, Carey st
 JESSUP, ROBERT MARSHALL, Swindon, nr Gloucester, late Chemist Oct 14 at 11 Off Rec, Bond ter, Wakefield
 LONDON, JOHN, and EDMUND LONDON, late George st, Richmond, Corn Merchants Oct 14 at 2.30 Bankruptcy bldgs, Carey st
 MAHER, JOSEPH, Manchester, Dealer in Furniture Oct 14 at 12 Ogden's chmbs, Bridge st, Manchester

- MOORE, WILLIAM, Manchester, Commission Agent Oct 1⁴ at 11 Ogden's chmrs, Bridge st, Manchester
 NORTHMORE, JOHN, Plymouth, Publican Oct 14 at 11 10, Athenseum ter, Plymouth
 PILLING, PETER, Ashton in Makerfield, Lancs, Grocer Oct 14 at 10.45 Court house, King st, Wigan
 POLLARD, HENRY, Chester, Confectioner Oct 14 at 2.30 Crypt chmrs, Chester
 PARFITT, ANN, Hafod, Pontypridd, Glam, Butcher Oct 14 at 3 Off Rec Marthyr Tydfil
 POVEY, SAMUEL, Ewasy Harold, Herefordshire, Innkeeper Oct 14 at 10 2, Off st, Hereford
 PRICE, MARY ANN, Bredwardine, Herefordshire, Farmer Oct 14 at 10 2, Off st, Hereford
 PRICE, WILLIAM, Bredwardine, Herefordshire, Farmer Oct 14 at 10 2, Off st, Hereford
 REINER, SIMON, Manchester, Fent Dealer Oct 14 at 11.45 Ogden's chmrs, Bridge st, Manchester
 RUFF, WILLIAM, Little Staughton, Beds, Farmer Oct 24 at 11 Off Rec 1A, St Paul's sq, Bedford
 SANSONE, JOSEPH GRAY, Manchester, Yarn Agent Oct 14 at 11.30 Ogden's chmrs, Bridge st, Manchester
 SIMPKIN, ROBERT, THOMAS HALL, and JOHN SIMPKIN, Openshaw, Manchester, Bakers Oct 17 at 3 Ogden's chmrs, Bridge st, Manchester
 SMART, HARRY JAMES, Alber sq, Commercial rd East, Wholesale Bedding Manufacturers Oct 17 at 11 Bankruptcy bldgs, Carey st
 SMITH, HENRY, Malvern Link, Wors, Grocer Oct 19 at 10.30 Off Rec 45, Copenhagen st, Worcester
 SQUIRE, EDWARD, Leeds, Painter Oct 17 at 11 Off Rec, 22 Park row, Leeds
 SUNDERLAND, YOUNG, Brighouse, Yorks, Cotton Doubler Oct 17 at 11 Off Rec, Townhall chmrs, Halifax
 THOMPSON, WILLIAM, late Maygrave rd, Brondesbury, Builder Oct 17 at 2.30 Bankruptcy bldgs, Carey st
 URDANG, DAVID, Liverpool, Cabinet Maker Oct 17 at 12 Off Rec 35, Victoria st, Liverpool
 WADDINGTON, JOSEPH, Stainland, nr Halifax, Hay Dealer Oct 17 at 11.30 Off Rec, Townhall chmrs, Halifax
 WAIT, RICHARD, Ludlow, Salop, Baker Oct 17 at 10 18, Corn sq, Leominster
 WILSON, THOMAS, Wood Norton, Norfolk, Farmer Oct 15 at 11 Off Rec 8, King st, Norwich
 The following amended notices are substituted for those published in the London Gazette, Oct. 4:—
 ROBINSON, HENRY, Bradford, Jeweller Oct 17 at 12 Off Rec 31, Manor row, Bradford
 THOMAS, DANIEL, Pontarddulais, Glam, Draper Oct 14 at 11 Anderston's Hotel, Fleet st
 ADJUDICATIONS.
 ALDEN, GEORGE, Wells st, Hackney, Boot Manufacturer High Court Pet Oct 4 Ord Oct 4
 ASHWORTH, ANN, and ELIZABETH OUTRAM, Greatland, Halifax, formerly Dyers Halifax Pet Aug 31 Ord Sept 30
 ATKINSON, FREDERICK, Stockton on Tees, Ironmonger Newcastle on Tyne Pet Oct 5 Ord Oct 5
 BANNISTER, THOMAS, and GEORGE BANNISTER, Staines rd, Hounslow, Florists Pet Oct 3 Ord Oct 3
 BOOTHMAN, JOSEPH, Oswaldtwistle, Lanc, Labourer Blackburn Pet Oct 4 Ord Oct 4
 CHARLTON, GEORGE, Streatham, Berks, Farm Bailiff Oxford Pet Sept 29 Ord Oct 4
 COLLISON, ALLAN, Halifax, Fish Merchant Halifax Pet Oct 5 Ord Oct 5
 COX, CHARLES WALTER, and FREDERICK GEORGE ROBINSON, Liverpool, Electrical Engineers Liverpool Pet Aug 27 Ord Oct 5
 DAVIES, JOHN, Nerquis, nr Mold, Flint, late Publican Liverpool Pet Sept 9 Ord Oct 5
 DERBYSHIRE, JOHN, sen, Longton, Staff, Engineer Longton Pet Oct 5 Ord Oct 5
 DICKINSON, CHARLES, Crown Wharf, Loughborough Junction, Contractor High Court Pet June 13 Ord Oct 3
 EMERY, WILLIAM, Manchester, Packing Case Maker Manchester Pet Sept 26 Ord Oct 5
 GILBERT, WILLIAM, Farnham, Surrey, Corn Merchant Guildford and Godalming Pet Sept 27 Ord Oct 3
 GREENLAND, HENRY, Keysham, Somerset, Tailor Bristol Pet Oct 3 Ord Oct 3
 GOACHER, DANIEL, Hulme, Manchester, Pork Purveyor Manchester Pet Oct 1 Ord Oct 5
 GRIMSHAW, RICHARD, Dewsbury, Temperance Hotel Proprietor Dewsbury Pet Oct 3 Ord Oct 3
 HAWKESFORD, LOUIS STEPHEN, Aston, Warwickshire, Perambulator Manufacturer Birmingham Pet Sept 17 Ord Oct 5
 HODGKISS, RICHARD, Higher Ince, Lancs, Butcher Wigan Pet Oct 4 Ord Oct 4
 HOLGATE, JOHN, Heaton, Bradford, Milk Dealer Bradford Pet Oct 3 Ord Oct 3
 JARRETT, JAMES ALEXANDER, Bucklersbury High Court Pet Aug 2 Ord Oct 1
 JESUP, ROBERT MARKHAM, Swinefleet, nr Goole, Yorks, late Chemist Wakefield Pet Oct 3 Ord Oct 3
 JONES, OWEN, Carnarvon, Mineral Water Manufacturer Bangor Pet Sept 30 Ord Oct 1
 LEE, JAMES CHEDZOEY, Theobald's rd, Holborn, Gas Engineer High Court Pet Oct 3 Ord Oct 3
 MEDCALF, JAMES DRIVER, Hertford, Auctioneer Hertford Pet Sept 27 Ord Oct 3
 MANN, WILLIAM, Horsham, Sussex, Coal Merchant Brighton Pet Oct 5 Ord Oct 5
 MOORE, WILLIAM, Ansty, Leics, Boot Manufacturer Leicester Pet Sept 27 Ord Oct 3
 OXBOROUGH, HENRY, Stockton on Tees, Clothier Stockton on Tees Pet Oct 3 Ord Oct 3
 PARRATON, JAMES, Liverpool, Restaurant Proprietor Liverpool Pet Sept 15 Ord Oct 3
 POLLARD, HENRY, Chester, Confectioner Chester Pet Sept 30 Ord Oct 4
 POOLE, ELLEN, Stanwell Moor Farm, Stanwell, Farmer Kingston, Surrey Pet Oct 3 Ord Oct 3
 PRICE, WILLIAM, Bredwardine, Herefordshire, Farmer Hereford Pet Aug 27 Ord Oct 3
 SAUNDERS, WILLIAM, Caldmore, Walsall, Clothier Walsall Pet Sept 27 Ord Oct 3
 SETTLES, GEORGE, Tunbridge Wells, of no occupation, Tunbridge Wells Pet Aug 31 Ord Oct 3
 SIMPKIN, ROBERT, THOMAS HALL, and JOHN SIMPKIN, Openshaw, Manchester, Bakers Manchester Pet Sept 14 Ord Oct 5
 SMITH, HENRY, Malvern Link, Wors, Grocer Worcester Pet Sept 19 Ord Oct 5
 STEVEN, JOHN, WILLIAM, Gateshead, House Decorator Newcastle on Tyne Pet Sept 7 Ord Oct 4
 STRONG, WILLIAM, and ROBERT HEDLEY STRONG, Cardiff, Shipowner Cardiff Pet Sept 29 Ord Oct 4
 SUNDERLAND, YOUNG, Brighouse, Yorks, Cotton Doubler Halifax Pet Oct 3 Ord Oct 3
 TATTERSALL, RICHARD, Ainsdale, nr Southport, Market Gardner Liverpool Pet Oct 5 Ord Oct 5
 TEASDALE, JOHN, Gosforth, Northumbld, Coach Builder Newcastle on Tyne Pet Sept 22 Ord Oct 1
 TRICHLER, FREDERICK ALFRED SHEPPARD, New Bridge st, Publisher High Court Pet Aug 20 Ord Oct 1
 WADDINGTON, JOSEPH, Stainland, nr Halifax, Hay Dealer Halifax Pet Oct 3 Ord Oct 4
 WEEKS, GEORGE, Chigwell, Essex, Grocer Chelmsford Pet Sept 23 Ord Oct 4
 WILLIAMS, EDWARD, Presteigne, Radnor, Haulier Lion minister Pet Oct 5 Ord Oct 5
 WILLES, THOMAS SIDNEY, late Cheapside, Tailor High Court Pet Sept 3 Ord Oct 3
 WORTHAM, CHARLES, St James's st, Club Proprietor High Court Pet July 12 Ord Oct 1
 ADJUDICATION ANNULLED.
 CHETTLE, FRED, Castle st, Kingland, Hairdresser Portsmouth Adjud March 3 Annual Aug 11
 London Gazette—TUESDAY, Oct. 11.
 RECEIVING ORDERS.
 ATHA, SAMUEL RHODES, Thornhill, Yorks, Assistant Schoolmaster Dewsbury Pet Oct 6 Ord Oct 6
 BENSON, THOMAS, Goode st, Tiptonman et al, Fruiterer High Court Pet Oct 5 Ord Oct 6
 CLARKE, BRUCE CHARLES, Nottingham, Smallware Dealer Nottingham Pet Sept 30 Ord Oct 7
 CLEMENTS, WILLIAM CHARLES, Rickmansworth, Herts, Grocer St Albans Pet Oct 7 Ord Oct 7
 COATE, ANNIE, Milford Haven, Grocer Pembroke Dock Pet Oct 8 Ord Oct 8
 DERBYSHIRE, JOHN, jun., Birdwell, nr Barnsley, Colliery Enginee Barnsley Pet Oct 6 Ord Oct 6
 FOOKES, ELL, Southsea, Coal Merchant Portsmouth Pet Oct 4 Ord Oct 6
 FRANK, LAWRENCE, Cardiff, Auctioneer Cardiff Pet Oct 4 Ord Oct 5
 GENT, ROBERT, Seaton Carew, Durham, late Merchant Tailor Stockton on Tees and Middlesbrough Pet Oct 4 Ord Oct 4
 GILES, EDWIN, Yeovil, Tailor Yeovil Pet Oct 7 Ord Oct 7
 GOODALL, CHARLES, Sallymoor, Staffs, Farmer Burton on Trent Pet Sept 9 Ord Oct 6
 GRIMSHAW, THOMAS, Bowyer ter, High st, Chapham, Paint Manufacturer High Court Pet Aug 29 Ord Oct 7
 GUINE, CHARLES RICHARD, Maygrave rd, West Hampstead, Builder High Court Pet Sept 23 Ord Oct 7
 HOOD, ALFRED, Bethnal Green rd, Builder High Court Pet Aug 31 Ord Oct 7
 HOPKINSON, A. C., Lower Sydenham, Kent, Accountant Greenwich Pet Sept 6 Ord Oct 4
 HORN, FREDERICK, Sunderland, Beerhouse Keeper Sunderland Pet Oct 7 Ord Oct 7
 HUSSEY, RICHARD LEWIS, Devizes, Farmer Bath Pet Oct 7 Ord Oct 7
 JOLLY, MATTHEW, and WALTER JOHN GASKELL, Liverpool, Oil Merchants Liverpool Pet Sept 26 Ord Oct 7
 MANDEVILLE, THOMAS RIDGE, Friars rd, Leyton, recently Publican High Court Pet Oct 7 Ord Oct 7
 MANSFIELD, HARRY, Normanton le Heath, Leics, Wheelwright Burton on Trent Pet Oct 7 Ord Oct 7
 MERRIHMAN, JOHN JAMES, Birmingham, General Dealer Birmingham Pet Oct 8 Ord Oct 8
 MUNRO, GEORGE, Barry, Glam, Grocer Cardiff Pet Oct 4 Ord Oct 5
 PUGH, EDWARD JOHN, Longton, Staffs, Earthenware Manufacturer Longton Pet Aug 31 Ord Oct 6
 PURVES, RUTH JANE, Scarborough, Dealer in Fancy Goods Scarborough Pet Oct 7 Ord Oct 7
 REEVES, JULIA, Grangebrook rd, Stoke Newton, Merchant in Clocks High Court Pet Sept 24 Ord Oct 8
 SAUNDERS, THOMAS BEALBY, and ASHBY VARLEY SAUNDERS, Cleckheaton, Yorks, Chemical Manufacturers Bradford Pet Oct 5 Ord Oct 5
 SIMPSON, THOMAS, York, Sugar Merchant York Pet Oct 7 Ord Oct 7
 SMITH, JAMES, Holmesay, nr Northwich, Cheshire, Farmer Nantwich and Crewe Pet Sept 10 Ord Oct 5
 CLAYPOLE, GEORGE FREDERICK, Finedon, Northamptonshire, Managing Director of a Public Company Northampton Pet Aug 18 Ord Oct 1
 COATE, ANNIE, Milford Haven, Grocer Pembroke Dock Pet Oct 5 Ord Oct 8
 CRANSTON, IRVIN, Aldershot, Builder Guildford and Godalming Pet Aug 18 Ord Oct 6
 FRANK, LAWRENCE, Cardiff, Auctioneer Cardiff Pet Oct 4 Ord Oct 6
 GENT, ROBERT, Seaton Carew, co Durham, late Merchant Tailor Stockton on Tees and Middlesbrough Pet Oct 4 Ord Oct 4
 GOODALL, CHARLES, Sallymoor, Staffs, Farmer Burton on Trent Pet Sept 9 Ord Oct 6
 GRIGORY, ARTHUR, Lyndhurst grove, Camberwell, House Decorator High Court Pet Oct 5 Ord Oct 8
 HACKNEY, FANNY, Pittfield st, Hoxton, Widow High Court Pet Aug 22 Ord Oct 6
 HELLEWELL, JAMES HENRY, late of Castleford, Yorks, Coal Merchant Wakefield Pet Aug 27 Ord Oct 4
 HORN, FREDERICK, Sunderland, Beerhouse Keeper Sunderland Pet Oct 7 Ord Oct 8
 HUSSEY, RICHARD LEWIS, Devizes, Farmer Bath Pet Oct 7 Ord Oct 7
- FIRST MEETINGS.
- ATKINSON, EDWARD JAMES, Gracechurch st Oct 24 at 12 Bankruptcy bldgs, Carey st
 BANNISTER, THOMAS, and GEORGE BANNISTER, Staines rd, Hounslow, Florists Oct 19 at 3 Off Rec 96, Temple chmrs, Temple avenue
 BURKITT, WILLIAM, and CHARLES BURKITT, Openshaw, Manchester, Farmers Oct 19 at 2.30 Ogden's chmrs, Bridge st, Manchester
 CAIRN, JOHN, Mexborough, Yorks, Mason Oct 19 at 12.30 Off Rec, Figtree lane, Sheffield
 CHALMERS, JAMES ANDREW, Oakfield rd, Finbury pk, Traveller Oct 20 at 2.30 Bankruptcy bldgs, Carey st
- CLARKE, BRUCE CHARLES, Nottingham, Smallware Dealer, Oct 18 at 11 Off Rec, St Peter's Church walk, Nottingham
 COLLINSON, ALLAN, Halifax, Fish Merchant Oct 21 at 11 Off Rec, Townhall chmrs, Halifax
 CONNOLLY, EDWARD, and THOMAS McMAHON, Liverpool, Provision Dealers Oct 19 at 3.30 Off Rec, 35, Victoria st, Liverpool
 DAVEY, CHARLES, and GEORGE WILLIAM ROBBINS, Bury St Edmunds, Cyclo Agents Oct 18 at 12 Off Rec, 36, Princes st, Ipswich
 DAVEY, H. W. W., Leytonstone rd, Stratford, late Publican Oct 24 at 11 Bankruptcy bldgs, Carey st
 DEAKIN, SARAH, Dewsby, Dressmaker Oct 18 at 3 Off Rec, Bank chmrs, Batley
 DOWLE, JOSHUA WILLIAM, late Angel lane, Stratford, Butcher Oct 19 at 12 Bankruptcy bldgs, Carey st
 DUBBIN, MARK, Plymstock, Provision Dealer Oct 18 at 11 10, Atheneum ter, Plymouth
 FEAKES, WILLIAM, Hawstead, Suffolk, Wheelwright Oct 24 at 12.45 Guildhall, Bury St Edmunds
 FOX, HENRY HIBBET, and LEON JACOBS, Wigmore st, upholsterer Oct 20 at 11 Bankruptcy bldgs, Carey st
 GATLEY, JOHN OLIVER, Southport, Photographer Oct 19 at 3 Off Rec 35, Victoria st, Liverpool
 GRAY, JANE, St Helen's, Saddler Oct 19 at 2.30 Off Rec, 35, Victoria st, Liverpool
 GREENHALGH, ROBERT TAYLOR, Glazebrook, Lancs, of no occupation Warrington Oct 19 at 3 Ogden's chmrs, Bridge st, Manchester
 GRIMSHAW, RICHARD, Dewsbury, Temperance Hotel Proprietor Oct 18 at 4 Off Rec, Bank chmrs, Batley
 HODGSON, THOMAS, Croft, Durham, General Dealer Oct 19 at 3 Off Rec, S. Albert rd, Middlesbrough
 HARVEY, THOMAS HENRY, Croydon, late Dealer in Fire Ornaments Oct 20 at 12 Bankruptcy bldgs, Carey st
 JONES, OWEN, Carnarvon, Mineral Water Manufacturer Oct 20 at 12 Crypt chmrs, Chester
 LANG, JOHN CHARLES, Cardiff, Coffee Tavern Keeper Oct 18 at 12 Off Rec, 22, Queen st, Cardiff
 LEE, JAMES CHEDZOEY, Theobald's rd, Holborn, Gas Engineer Oct 18 at 2.30 Bankruptcy bldgs, Carey st
 LITCHFIELD, CHARLES, Wellington, Engineer Oct 19 at 12 County Court bldgs, Northampton
 LLOYD, GWILYM, Aberavon, Glam, Licensed Victualler Oct 18 at 12 Off Rec, 31, Alexandra rd, Swansea
 MITCHISON, RICHARD, Newcastle on Tyne, Builder Oct 19 at 11.30 Off Rec, Pink lane, Newcastle on Tyne
 MORGAN, FRANCIS HENRY, Slimbridge, Glos, Farmer Oct 18 at 12 Bell Hotel, Gloucester
 NORTHCOPE, EDITH, Thurloe pl, South Kensington, Spinster Oct 18 at 11 Bankruptcy bldgs, Carey st
 REID, WILLIAM, Sheffield, Licensed Victualler Oct 19 at 11 Off Rec, Figtree lane, Sheffield
 ROBERTS, ROBERTS, Tyncoeddua, Chwilog, Carnarvonshire, Farmer Oct 19 at 12 Crown Hotel, Pwllheli
 SANDERS, DR SCOTT, Lyric Club, Coventry st, Club Proprietor Oct 19 at 1 Bankruptcy bldgs, Carey st
 SETTLES, GEORGE, Tunbridge Wells, no occupation Oct 18 at 11.30, 24, Railway approach, London Bridge
 SHIPLEY, EDWARD THOMAS, Stapenhill, Burton on Trent, Grocer Oct 26 at 11.30 Midland Hotel, Station st, Burton on Trent
 SIMMONS, ALBERT EDWARD, JOHN WEBB PUDDIFOOT, and ERNEST EDWARD JESSEL, George st, Minories, Ivory Merchants Oct 27 at 12 Bankruptcy bldgs, Carey st
 SIMPSON, THOMAS, York, Sugar Merchant Oct 21 at 2.30 Off Rec, York
 SOUTHWOOD, WILLIAM, Dawlish, Devon, Draper Oct 21 at 11 Bankruptcy bldgs, Carey st
 STURT, FREDERICK WILLIAM, Walsall, Tea Dealer Oct 26 at 11.30 Off Rec, Walsall
 SUNDERLAND, JAMES, Leeds, Brass Founder Oct 19 at 11 Off Rec, 22, Park row, Leeds
 TREGON, EDWARD, Manchester, Engineer Oct 24 at 3 Ogden's chmrs, Bridge st, Manchester
 VOWLER, MARIA CATHERINE, Ventnor, I.W., Widow Oct 22 at 11.30 Hollyrood chmrs, Newport, I.W.
 WAKLEY, HENRY EDWARD, Cardiff, Coal Merchant Oct 18 at 11 Off Rec, 22, Queen st, Cardiff
 WEEKS, GEORGE, Chigwell, Essex, Grocer Oct 18 at 3 Off Rec, 96, Temple chmrs, Temple avenue
 WHITE, FREDERICK JAMES, Colyton, Devon, Ironfounder Oct 20 at 10 Off Rec, 13, Bedford circus, Exeter
 WHITE, W. H., and B. WALMSLEY, Wilton chmrs, Vauxhall bridge rd, Dealers in Fancy Goods Oct 20 at 2.30 Bankruptcy bldgs, Carey st
 WILLES, THOMAS SIDNEY, late Cheapside, Tailor Oct 19 at 2.30 Bankruptcy bldgs, Carey st
 WILLIAMS, ELIZABETH, Sheffield, Widow Oct 19 at 12 Off Rec, Figtree lane, Sheffield
- ADJUDICATIONS.
- BURSTON, EMMA, Wharfrost, nr Northwich, Cheshire, Farmer Nantwich and Crewe Pet Sept 10 Ord Oct 5
 CLAYPOLE, GEORGE FREDERICK, Finedon, Northamptonshire, Managing Director of a Public Company Northampton Pet Aug 18 Ord Oct 1
 COATE, ANNIE, Milford Haven, Grocer Pembroke Dock Pet Oct 5 Ord Oct 8
 CRANSTON, IRVIN, Aldershot, Builder Guildford and Godalming Pet Aug 18 Ord Oct 6
 FRANK, LAWRENCE, Cardiff, Auctioneer Cardiff Pet Oct 4 Ord Oct 6
 GENT, ROBERT, Seaton Carew, co Durham, late Merchant Tailor Stockton on Tees and Middlesbrough Pet Oct 4 Ord Oct 4
 GOODALL, CHARLES, Sallymoor, Staffs, Farmer Burton on Trent Pet Sept 9 Ord Oct 6
 GRIGORY, ARTHUR, Lyndhurst grove, Camberwell, House Decorator High Court Pet Oct 5 Ord Oct 8
 HACKNEY, FANNY, Pittfield st, Hoxton, Widow High Court Pet Aug 22 Ord Oct 6
 HELLEWELL, JAMES HENRY, late of Castleford, Yorks, Coal Merchant Wakefield Pet Aug 27 Ord Oct 4
 HORN, FREDERICK, Sunderland, Beerhouse Keeper Sunderland Pet Oct 7 Ord Oct 8
 CHALMERS, JAMES ANDREW, Oakfield rd, Finbury pk, Traveller Oct 20 at 2.30 Bankruptcy bldgs, Carey st

LAWTON, WILLIAM ALBERT ASHTON, Wednesbury, Printer
Walshall Pet Sept 28 Ord Oct 6
LEVY, EDWARD, New st, Gravel In, Houndsditch, Licensed Victualler High Court Pet Sept 21 Ord Oct 6
LLOYD, RICHARD SIMPSON, Abercrown, Cardiganshire, Ship-owner Abertswith Pet Aug 22 Ord Oct 7
MANDE, THOMAS RIDGE, Fritch rd, Leyton, late Publican High Court Pet Oct 7 Ord Oct 7
MANSFIELD, HARRY, Normanton le Heath, Leicestershire, Wright Burton on Trent Pet Oct 7 Ord Oct 7
MITCHISON, RICHARD, Newcastle on Tyne, Builder Newcastle-on-Tyne Pet Sept 8 Ord Oct 6
NICHOLSON, MARY LOUISE, Oxford mansions, Widow High Court Pet Aug 12 Ord Oct 6
ORMSTON, JAMES WILKS, Hugheenden rd, Hammersmith, Builder High Court Pet Oct 5 Ord Oct 8
PUGH, EDWARD JOHN, Longton, Staffs, Earthenware Manufacturer Longton Pet Aug 31 Ord Oct 6
ROCHE, EDWARD MALVERN, Birkenhead, Hay Dealer Birkenhead Pet July 13 Ord Oct 7
SCAMMELS, HARRIET, Garsdale Nantyglo, Mon, Boot Dealer Tredegar Pet Oct 3 Ord Oct 6
SIMPSON, THOMAS, York, Sugar Merchant York Pet Oct 7 Ord Oct 7
SMITH, JAMES, Helmsley, Yorks, Licensed Victualler Northallerton Pet Oct 4 Ord Oct 4
SMITH, THOMAS, Grimley, Worcs, Market Gardener Worcester Pet Oct 7 Ord Oct 7
STINCHCOMBE, ALFRED, Thornbury, Glos, Coachman Bristol Pet Sept 23 Ord Oct 6
SWEET, SILAS JOHN, Llanelli, Painter Carmarthen Pet Oct 4 Ord Oct 4
WHITE, FREDERICK JAMES, Colyton, Devon, Ironfounder Exeter Pet Oct 6 Ord Oct 6

ADJUDICATION ANNULLED.

CARTER, HENRY THOMAS, Bristol, Superintendent in the Post Office Bristol Adjud Dec 1, 1887 Annul Oct 7

SALES OF ENSUING WEEK.

OCT. 15.—MRS. DEBENHAM, TEWSON, FARMER, & BRIDGEWATER, at the Mart, E.C., at 2 o'clock. Absolute Reversion (see advertisement, this week, p. 88).
Oct. 15.—MRS. S. B. CLARK & SON, at the Mart, E.C., at 2 o'clock. Leasehold Residence (see advertisement, Oct. 8, p. 88).
Oct. 19.—MRS. EDWIN FOX & BOUSFIELD, at the Mart, E.C., at 3 o'clock. Freehold Ground-Rent (see advertisement, this week, p. 88).
Oct. 19.—DOUGLAS YOUNG, Esq., at the Mart, E.C., at 2 o'clock. Leasehold Investments (see advertisement, Oct. 8, p. 88).
Oct. 20.—MRS. FAREBROTHER, ELLIS, CLARK, & CO., at the Mart, E.C., at 3 o'clock. Freehold Property and Leasehold Mansion and Stabling (see advertisement, this week, p. 88).

Subscription, PAYABLE IN ADVANCE, which includes Indexes, Digests, Statutes, Double Numbers, and Postage, 52s. WEEKLY REPORTER, in wrapper, 52s. SOLICITORS' JOURNAL, 26s. Od.; by Post, 28s. Od. Volumes bound at the office—cloth, 2s. 9d., half law calf, 5s. 6d.

Special Advantages to Private Insureds.

THE IMPERIAL INSURANCE COMPANY LIMITED. FIRE.

Established 1805.

1, Old Broad-street, E.C., and 22, Pall Mall, S.W.
Subscribed Capital, £1,000,000; Paid-up, £300,000.
Total Funds over £1,000,000.

K. COLENS SMITH,

STAMFORD-HILL.
Freehold Ground-Rents.

MESRS. HERRING, SON, & DAW will SELL by AUCTION, at the MART, E.C., on WEDNESDAY, OCTOBER 26, at TWO precisely, the FREEHOLD GROUND-RENTS, amounting to £25 per annum, well secured upon the four dwelling-houses, Nos. 69, 70, 71, and 72, The Crescent, Stamford-hill, N. (just off the main road), with reversion to the rack rent in 1867. Particulars at the Mart; of Richard Jennings, Esq., Solicitor, 54 and 55, Coleman-street, E.C.; and of the Auctioneers, 62, Coleman-street, E.C., and Brixton-hill, S.W.

By order of Executors.—To Trustees and Others.—High-class Freehold Ground-rents.

MESRS. HERRING, SON, & DAW will SELL by AUCTION, at the MART, Tokenhouse-yard, E.C., on WEDNESDAY, OCTOBER 26, at TWO o'clock precisely, the very valuable FREEHOLD GROUND-RENTS, amounting to £25 per annum, amply secured upon two family residences known as Nos. 9 and 11, Streatham-hill, each standing in its own grounds and possessing extensive frontages to the high road, with reversion to the rack-rents, estimated at £25 per annum, in 1891.

Particulars and conditions of sale may be had at the Mart; of Messrs. Bennett, Dawson, & Bennett, Solicitors, 2, New-square, Lincoln's-inn, W.C.; and of the Auctioneers, 62, Coleman-street, E.C., and Brixton-hill, S.W.

SALE DAYS FOR THE YEAR 1892.

MESRS. FAREBROTHER, ELLIS, CLARK, & CO. beg to announce that the following days have been fixed for their SALES during the year 1892, to be held at the Auction Mart, Tokenhouse-yard, near the Bank of England, E.C.:—

Thurs, Oct 20 | Thurs, Nov 10 | Thurs, Dec 8
Thurs, Nov 17 | Thurs, Dec 15 | Tuesdays, Nov 15 | Tuesdays, Dec. 6

Other appointments for immediate Sales will also be arranged.

Messrs. Farebrother, Ellis, Clark, & Co. publish in the advertisement columns of "The Times" every Saturday a complete list of their forthcoming sales by auction. They also issue from time to time schedules of properties to be let or sold, comprising landed and residential estates, farms, freehold and leasehold houses, City offices and warehouses, ground-rents, and investments generally, which will be forwarded free of charge on application.—No. 29, Fleet-street, Temple-bar, and 18, Old Broad-street, E.C.

SUSSEX.

A most enjoyable Freehold Estate, five miles from Tunbridge-wells, five minutes walk from Wadhurst Station, commanding lovely views, and comprising stone-built residence, and about 90 acres of well-timbered park, pasture, and wood land, with lodge at the principal entrance; the accommodation being—the first floor, 11 bed-rooms; on the ground floor, large hall, dining room, library, two fine drawing rooms, verandah, conservatory, smoking and billiard rooms, and domestic offices; four-stall stabling, compact farm buildings. Ornamental grounds, charmingly arranged, with terrace walk to spacious tennis lawn, productive kitchen garden, with vineyards, and other adjuncts. With possession.

MESRS. FAREBROTHER, ELLIS, CLARK, & CO. will SELL by AUCTION, at the MART, E.C., on THURSDAY, 26th OCTOBER, the above-described FREEHOLD PROPERTY, known as Fairerough, Wadhurst.

Particulars and conditions of sale of Messrs. Pridgeon & Sons, Solicitors, Goldsmiths-hall, E.C.; at the Mart, E.C., and of Messrs. Farebrother, Ellis, Clark, & Co., 29, Fleet-street, Temple-bar, and 18, Old Broad-street, E.C.

OVERLOOKING HYDE PARK.

A fashionably-situated Town Residence, No. 33, Hyde-park-gardens, occupying one of the most pleasant positions at the West-end. It stands well back from the road, immediately opposite the Victoria-gate entrance to the park, and from which it is separated by a garden enclosure private to this and the adjoining houses. The residence is well built and conveniently arranged, of imposing exterior, entered by a bold porch, and extends to Stanhope-street at the rear. It contains five servants' bed rooms on the top floor, seven principal and secondary bed rooms and dressing rooms on the second and third floors, two handsome drawing rooms and a boudoir on the first floor, a noble dining-room, library, and study on the ground floor, and ample and convenient domestic offices in the basement. There are principal and secondary staircases, and from the principal and upper rooms magnificent views are obtained over the park, extending to the Surrey hills. There is capital stabling, situated No. 37, Hyde-park-garden-mews, and comprising four stalls, and a loose box, double coach-house, and living rooms over. The property is held for about 41 years unexpired, at the low ground-rent of £66 1s. 9d. per annum, and possession will be given on completion.

MESRS. FAREBROTHER, ELLIS, CLARK, & CO. will offer for SALE by AUCTION, at the MART, Tokenhouse-yard, by direction of the representatives of the late owner, on THURSDAY, OCTOBER 20, 1892, at TWO o'clock precisely (unless an acceptable offer be previously received), the above important LEASEHOLD MANSION and STABLING.

Particulars and conditions of sale of Messrs. White, Borrett, & Co., Solicitors, 6, Whitehall-place, S.W.; at the Mart, E.C.; and of Messrs. Farebrother, Ellis, Clark, & Co., 29, Fleet-street, and 18, Old Broad-street, E.C.

STRAND.

By direction of the Receiver of the Hansard Publishing Union.—Nos. 12 and 14, Catherine-street.—Valuable and extensive Business Premises, prominently situated only a few doors from the Strand, and occupying a frontage of about 32 feet, and an area of nearly 1,500 feet. The building, which is of very substantial construction, has been adapted at considerable cost for the publishing trade, and affords every accommodation and convenience for modern requirements on the six spacious floors, which are admirably circumstanced as to light. The property is held for an unexpired term of over 31 years at a ground-rent of £400 per annum, and possession will be given upon completion.

MESRS. FAREBROTHER, ELLIS, CLARK, & CO. will OFFER for SALE by AUCTION, at the MART, on THURSDAY, 10th NOVEMBER, 1892, at TWO o'clock precisely, the above important LEASEHOLD PREMISES.

Particulars, when prepared, may be obtained of Messrs. Linklater & Co., Solicitors, 2, Barnet-court, Wallbrook; of Mr. John Anna (Receiver); of Messrs. Brooks, Paterson, & Co., Accountants, 1, Walbrook, E.C.; of Messrs. M. Webb & Son, Barracan-chambers, E.C.; and of Messrs. Farebrother, Ellis, Clark, & Co., 29, Fleet-street, and 18, Old Broad-street, E.C.

MESRS. ROBT. W. MANN & SON, SURVEYORS, VALUERS, AUCTIONEERS, HOUSE AND ESTATE AGENTS.
ROBT. W. MANN, F.S.I., THOMAS R. RANSOM, F.S.I., J. BAGSHAW MANN, F.S.I., W. H. MANN,
12, Lowndes-grove-place, Eaton-square, S.W., and 22, Lowndes-street, Belgrave-square, S.W.

SALES BY AUCTION FOR THE YEAR 1892.

MESRS. DEBENHAM, TEWSON, FARMER, & BRIDGEWATER beg to announce that their SALES of LANDED ESTATES, Investments, Town, Suburban, and Country Houses, Business Premises, Building Land, Ground-Rents, Advowsons, Reversions, Stocks, Shares, and other Properties will be held at the AUCTION MART, Tokenhouse-yard, near the Bank of England, in the City of London, as follows:

Tuesday, Oct. 18 | Tuesday, Nov. 1 | Tuesday, Dec. 6
Tuesday, Nov. 15 | Tuesday, Nov. 15 | Tuesday, Dec. 6

Auctions can also be held on other days, in town or country, by arrangement. Messrs. Debenham, Tewson, Farmer, & Bridgewater undertake Sales and Valuations for Probate and other purposes, of Furniture, Pictures, Farming Stock, Timber, &c. Detailed Lists of Investments, Estates, Sporting Quarters, Residences, Shops, and Business Premises to be Let or Sold by private contract are published on the 1st of each month, and can be obtained of Messrs. Debenham, Tewson, Farmer, & Bridgewater, Estate Agents, Surveyors, and Valuers, 80, Cheapside, London, E.C. Telephone No. 1,503.

Valuable Absolute Reversions expectant on the death of a lady aged 64 on the 10th July last to one equal moiety of £892 0s. 1d. India 3s. per cent. Stock, £1 16s. 10d. Cash, and of the following Freehold Properties—viz.:

No. 48, London-road, Brighton	£65 0 0	Rentals.
No. 5, Alfred-road, Brighton (estimated)	65 0 0	
No. 6, Alfred-road, Brighton	65 0 0	
	Total	£195 0 0	

Also to one equal Fourth Part of the following Freehold and Leasehold Properties—viz.:

FREETHOLD.	Rentals.
Attingworth House, 56, Marine-parade, Brighton (let and estimated)	£245 0 0
No. 44, Lansdowne-place, Hove, Brighton	90 0 0
The Railway Hotel, Worthing	180 0 0
LEASEHOLD.	
No. 204, Regent-street	442 0 0
	Total £337 0 0

Also of a sum of £600 on Mortgage of Leasehold Premises, 1 & 2, Woburn-place, showing a profit rental for six years of £23 15s. per annum.

MESRS. DEBENHAM, TEWSON, FARMER, & BRIDGEWATER will SELL the above ABSOLUTE REVERSIONS at the MART on TUESDAY, OCTOBER 18th, 1892, at TWO in One Lot.

Particulars of Messrs. Lawrence, Waldron, & Webster, Solicitors, 14, Old Jewry-chambers; Mr. Richard Potts, of 24, Rood-lane; and of the Auctioneers, 80, Cheapside.

MESRS. DEBENHAM, TEWSON, FARMER, & BRIDGEWATER's LIST of ESTATES and HOUSES to BE SOLD or LET, including Landed Estates, Town and Country Residences, Hunting and Shooting Quarters, Farms, Ground Rents, Rent Charges, House Property and Investments generally, is published on the first day of each month, and may be obtained, free of charge, at their offices, 80, Cheapside, E.C. or will be sent by post in return for two stamps.—Particulars for insertion should be received not later than four days previous to the end of the preceding month.

SOUTH NORWOOD.

Well-secured Freehold Ground-rent.

MESRS. EDWIN FOX & BOUSFIELD will SELL, at the MART, on WEDNESDAY NEXT, OCT. 19, at TWO, a valuable FREEHOLD GROUND-RENT of £26 per annum, arising from five substantial brick-built houses and shops, known as Nos. 7, 7A, 8, 9, and 10, High-street, South Norwood, close to Norwood Junction Station on the L.B. and S.C.R., each containing about eight rooms and shop, with stabling in the rear; all let, at rents amounting to about £50 per annum; leased for a term of 99 years from Midsummer, 1899, at the above ground-rent.

Particulars at the Mart; of Messrs. Hooper & Wollen, Solicitors, Torquay; and of Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.

WIMBLEDON PARK.

By order of Executors.—Delightful Freehold Residence, seated within beautiful gardens and grounds; stabling, &c.—With possession.

MESRS. EDWIN FOX & BOUSFIELD will SELL, at the MART, on WEDNESDAY, OCTOBER 26, at TWO, an attractive FREEHOLD PROPERTY, situate in Wimbledon-park, within five minutes' walk of the Southfields Station on the District Extension, and near Putney and Wimbledon stations on the S.W. Railway. It comprises a charming detached residence distinguished as Tarwood, approached by a carriage drive; it is of well-designed elevation and contains 11 bed chambers, dressing rooms, fitted bath room, two nurseries, linen and housemaid's closets and boudoir, three reception rooms communicating and extending 60ft. in length, dining room, library, and elegant drawing room, entrance hall, spacious inner hall, &c.; the domestic offices are all on the ground floor, entirely shut off and well arranged, excellent wine and beer cellars; stabling for four horses, coach-house, harness room, man's room, &c. The grounds, about three acres in extent, are laid out in lawns, with fine old timber trees, pleasure garden, vegetable and fruit gardens, and together with a small paddock. The property fronts on three roadways, and affords an attractive site for the erection of another residence without detracting from the charms of the existing house and gardens.

Particulars of Messrs. Western & Sons, Solicitors, 35, Essex-street, Strand, W.C.; at the Mart; and of Messrs. Edwin Fox & Bousfield, 99, Gresham-street, Bank, E.C.